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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN C. NEWSOM

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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January 13, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the December 10, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items
7. Public Comment (Please limit public comment to items not on the agenda)
8. Presentation of the Taxi Commission 2003 Annual Report.
9. Hearing & Discussion of a Taxi Commission Resolution Requiring a Percentage of Every Color Scheme Permitholder Vehicle Fleet to Comprise of Alternative Fuel Vehicles by a Specified Time Period. [Discussion] (Memo from Executive Director)
10. Adjournment

Taxicab Commission Agenda
Regular Meeting
January 13, 2004, 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Mansour Abdelfattah	Chadly Abdelilah	Abdellatif Abdellaoui	Ahmed Abushgarah
Harrison Achugasim	Lahcen Afenzal	Haydar Alhakim	Haitham Alwadi
Solomon Aragaw	Margaret Auer	Mustafa Awadalla	Sergey Arzumanov
Jerrod Barnett	John Bazoungoula	Nabil Benyouref	Shaojin Bi
Khaled Bouhalkoum	Emmanuel Chukwujekwu	Mouhannad Dahbour	Jeffrey Duke
Dmitry Eilen	Gregory Fontenot, Jr.	John Fox	Daniel Furtado
Jessie Garcia	Steven Gee	Igors Harcenkovs	Eoghan Heavey
Aidan Hollingsworth	Alan Huang	Asadullah Kazimi	Rogerio Leal
David Lee	Peter Lee	Dalibor Lorinc	Donaldo Mantilla
Leonardo Mascarenhas	Pyae Maung	Oleg Merkulov	Nicholas Miller
Bikhayrat Mukhammadiev	Leandro Muniz	John Owens	Jeffrey Parravano
Gerald Pasek	Michael Portnoy	Henry Pytel, III	Ghulam Rasool
Carlos Rocha	Aura Ruiz	Claudio Santana	Robert Santos
Kesete Semere	Aleksander Shaposhniko	Kan Shen	Mussie Tesfamariam
Francisco Vasconcelos	Dung Vo	Nelson Watanabe	Michael White
Wilson Yu	Aye Zhan	Ren Zhu	

B. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Farhad Golshan	871	National Cab

C. Approval of Final Decision by the Executive Director Regarding Recommendations Submitted by Taxi Commission Hearing Officers.

1. Approval of 30 Day Suspension and Two Years Probation from the Date the Suspension is Lifted of Driver Public Passenger Vehicle for Hire Permit Held by Oleg L. Gavrisenko.

D. Possible Approval of London Taxi Wrap Color Scheme with ING Direct Logo effective February 16, 2004. Applicant is Luxor Cab Company Medallion Nos. 100, 675, 1255, 1263, and Royal Taxi Medallion Nos. 581, 793, 941, 1068, 1101, 1159 . [ACTION]

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Taxicab Commission Agenda
Regular Meeting
January 13, 2004, 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

Special 10-Day Notice of Taxi Commission Rule Change for January 27, 2004 Taxi Commission Meeting

1. Removal of Rule 6.B.1 Requiring Each Taxicab Driver to be equipped with a San Francisco and San Mateo County Street Guide or Map.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the January 27, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER: *None*

RAMPED TAXICAB: *None*

NEW COLOR SCHEME: *None*

COLOR SCHEME CHANGES:

1.	*Steven Doherty*	*471*	*Arrow Cab to American Taxi Cab*
2.	*Roman Katz*	*1268*	*DeSoto Cab to Alliance Cab*
3.	*Linus I. Oha*	*9060*	*Regents Cab to Luxor Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

January 13, 2004

ARTHUR M. JACKSON, PRESIDIENT

PAUL GILLESPIE, VICE PRESIDENT

JOHN BARRY, COMMISSIONER

PATRICIA BRESLIN, COMMISSIONER

MARY McGUIRE, COMMISSIONER

MIN PAEK, COMMISSIONER

MARTIN SMITH, COMMISSIONER

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NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

January 13, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Cynthia Kang-Welin - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE DECEMBER 10, 2003 TAXI COMMISSION MEETING

Commissioner Smith moved the approval of the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, Smith
NOES: None

ABSENT: Breslin, McGuire, Paek

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Gillespie moved to sever 4B, C and D of the Consent Calendar.

4A Driver of Public Vehicle for Hire Permits

Commissioner Smith moved the approval of 4A of the Consent Calendar. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, Smith
NOES: None

ABSENT: Breslin, McGuire, Paek

4B Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder Permit

Mr. Farhad Golshan answered questions from the Commissioners on his own behalf.

Commissioner Smith moved to approve 4B Farhad Golshan. Commissioner Breslin seconded the motion. Motion passes 5-1

AYES: Jackson, Gillespie, Breslin, Paek, Smith
NOES: Barry

RECUSED: McGuire

PUBLIC COMMENT

- **Barry Taranto:** He had questions about Farhad Golshan's application for a taxi permit. He asked how did Mr. Golshan fulfill his driving requirement if he was out of the country. Mr. Golshan's waybills contained many discrepancies.

- **Jane Bolig, National Cab:** Her impression of Mr. Golshan is that he is an extremely honorable person. Mr. Golshan has fulfilled his driving requirement and he should receive a taxi permit. Concerned that charges against Mr. Golshan are too vague.

- **Dan Hinds, President of National Cab:** He was General Manager at National Cab and responsible for scheduling when Mr. Golshan was fulfilling his driving requirements. He disagreed with Barry Taranto's comments. He informed the Commission that accommodations were made when Mr. Golshan's was out of the country so he could fulfill his driving requirements.

4C Approval of Final Decision by the Executive Director Regarding Recommendations Submitted by Taxi Commission Hearing Officer.

Commissioner Gillespie moved to approve the recommendation of the Taxi Commission Hearing Officer. Commissioner Smith seconded the motion. Motion passes 6-1

AYES: Jackson, Gillespie, Breslin, Paek, McGuire, Smith
NOES: Barry

4D Possible Approval of London Taxi Wrap Color Scheme with ING Direct Logo effective February 16, 2004. Applicant is Luxor Cab Company Medallion Nos. 100, 675, 1255, 1263, and Royal Taxi Medallion Nos. 581, 793, 941, 1068, 1101, and 1159.

Robert Klein, London Fleet of Chicago: He gave a presentation of the London Taxi Wrap.

Mark Klein, London Fleet of Chicago: He explained the Taxi Wrap design.

Commissioner Barry moved the approval of 4D. Commissioner Smith seconded the motion. Motion passed 6-1

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith NOES: Gillespie

PUBLIC COMMENT

· Joseph Diamond, Owner of Moving Media, Representing DeSoto Cab for advertising sales: In the past, it has been impractical to sell cab wraps. The Commission has since removed these restrictions for an out-of-state company with no previous San Francisco history. The Taxi Commission should allow the same freedom to wrap other vehicles and vans as they have given to the London Taxi. He proposed the Commission remove the wrap restrictions immediately.

· Peter Witt: He believes the London Taxis are too expensive and was granted an extended life without being tested in San Francisco. The Commission has mandated clean air vehicles and now the Commission is allowing a polluting vehicle such as the London Taxi on the streets of San Francisco. Is the Commission going to allow advertising on the CNG vehicles to subsidized them as well?

EXECUTIVE DIRECTOR LITTLE REQUESTED TO HAVE ITEM 9 HEARD NEXT.

9. HEARING & DISCUSSION OF A TAXI COMMISSION RESOLUTION REQUIRING A PERCENTAGE OF EVERY COLOR SCHEME PERMITHOLDER VEHICLE FLEET TO COMPRISE OF ALTERNATIVE FUEL VEHICLES BY A SPECIFIED TIME PERIOD.

Rick Ruvolo, Department of Environment: He gave a presentation on the City's alternative fuel vehicle policy.

PUBLIC COMMENT

- **Robert Cesana, Yellow Cab:** He is representing Permit & Driver Assoc. He asked who will resolve the situation at the San Francisco Airport regarding the CNG vehicles. PDA recommended that individual owners should drive CNG vehicles to eliminate the problem of who should refill the vehicle at the end of a shift. He asked who will be responsible for paying for additional CNG fueling stations.

- **Peter Witt:** Recommended more CNG fueling stations are needed. He states the Commission added more taxis with no environmental study. He agreed with Robert Cesana's recommendation regarding refilling the cab at the end of a shift.

- **Roger Cardenas, Bay Cab:** Recommended scheduling a meeting with the Taxi Commissioners and the cab companies so the cab drivers could explain their personal experiences with the CNG vehicles.

- **Barry Taranto:** Thanked Executive Director Little and President Jackson for bring this topic to the commission. The airport helped to create CNG incentives to put more taxis on the streets. What need to be resolved is the CNG fueling stations. He questioned if there were going to be more CNG vehicles available. Suggested a representative from the California Air Resources Board (CARB) attend a Commission hearing to address the funding issues and their air standard requirements.

- **Jane Bolig:** In some cities they are converting back to regular gasoline vehicles. CNG vehicle maintenance cost is greater and their life expectancy is questionable. Ford Motors is discontinuing their CNG vehicles.

- **Doug Cameron, Clean Enrgy, National Gas Fueling Station Infrastructure Providers:** He addressed Mr. Ruvolo's concerns. He feels it is important that the city's environmental office oversee this process with documents and substantial information. His company will provide at no cost, to the cab company that purchases a minimum of 30 taxis, a free turnkey solution fueling station that can be opened to the public. That company may also earn revenue from the station. The fueling stations can simultaneously fill eight taxis in less than five minutes.

- **Jim Gillespie, DeSoto Cab:** Agrees with alternative fuel vehicles. Recommended doing research on the CNG vehicles to make sure it will work for the 300,000 in San Francisco. His concerns are what will be the cost of maintenance for

the CNG vehicles.

· **John James, S&C Ford:** There are more cities going to 100% CNG vehicles. CNG are the cleanest taxicab in a full size rear wheel drive vehicles that anyone can provide today. In May 2004, CARB (California Air Resources Board) will certify that the Crown Victoria has met all emission standards from the state. He suggested comparing the maintenance cost of CNG to other vehicles in the city. He informed the Commission of S & C Ford Motor Company's intent to discontinue making the Crown Victoria vehicle in natural gas.

5. STAFF REPORT

Naomi Little, Executive Director: 1. The Board of Appeals Surcharge legislation had been introduced to amend the surcharge amounts that were enacted earlier this year to fund the Board of Appeals. The new surcharge rates will be effective on January 26, 2004. Any permit fee or transactional fee that can be appealed to the Board of Appeals will have an additional surcharge of $9. The surcharge amounts are based on each department's proportionate share of the appeals that are filed each year. The original calculation that was made back in June was based on actual appeals from FY 01-02. When the Board of Supervisors went to revise the legislation in October, the actual data from FY02-03 available to the BOS, so they recalculated the surcharge amounts based on the updated figures. Because more Taxi Commission permits were appealed in FY02-03 than in FY 01-02, the taxi permit surcharge amount went up. **2.** This is just a reminder the annual Public Convenience and Necessity hearing will be held on January 27, 2004. Unfortunately, the Taxi Commission staff does not have a formal study to present to the Commission. We are currently in the process of working with the Controller's Office to implement some of Bruce Schaller's recommendations for this year, such as hiring neutral persons to administer the surveys, expand the sample size, and administer a customer satisfaction survey, etc. The Safety Report will be included at the next hearing on January 27, 2004.

PUBLIC COMMENT

· **Peter Witt:** He questioned if the public will be able to phone-in questions during the Public Convenience and Necessity meeting. He submitted his introduction to be inserted into the minutes. My name is Peter Witt, I'm a native San Franciscan and have been a Yellow Cab driver for the last 16 year. Starting in 1998, he surveyed over five thousand six hundred (5,600) customers during the course of the last six years. And properly submitted them to the taxi commission. He also submitted, properly, a petition, signed by over 500 taxi drivers denouncing this Taxi Commission's adopting the of the 148 "new" police rules and regulations "blindly" within the first month of your existence in 1999. (Shortly thereafter, I was feloniously assaulted by a limo driver who fled the scene. The police did nothing...Even after I gave them an accurate address (the police used the other two limo drivers as witness against me) shortly thereafter he moved but I still have his name). In the year 2000... he was indorsed by over 1,000 taxi drivers to represent them...on this commission. I also submitted to this commission properly a petition signed by over (500) five yellow cab drivers in 2000...stating "I am very dissatisfied with Yellow Cab's dispatch system.

The system is deeply flawed and results in poor service to passengers and inadequate income for drivers". Along with a petition signed by over 200 San Francisco customers stating and I quote "I think Yellow Cab Coop has the worst dispatch in San Francisco.

· **Mark Gruberg:** He asked for clarification and accurate figures on the surcharge rates submitted by Board of Appeals.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Jackson: Requested to calendar for discussion the large numerals located on the trunk of taxicabs at the next Commission hearing (February 10, 2004).

Commissioner Barry: **1.** Requested to do a follow-up discussion on Mr. Joseph Diamond's concerns regarding the London taxi wraps. **2.** Install signage in taxis asking the passenger's opinion on "how was their cab experience?" **3.** Requested a review of the taxi medallion waiting list.

Commissioner Smith: **1.** Requested to calendar for action the taxi stands at BART Stations, as taxi drivers are still getting tickets for pulling in and out of bus zones. Suggested Department of Parking and Traffic give taxi drivers two spots behind the bus zones. **2.** Calendar for discussion the rule that states all medallion holders must drive their own medallion. He believes this rule serves any purpose and creates difficulties in dispatching. He recommended deleting this rule. Requested an updated on compliance sheet for ramp taxi order pick-ups.

Commissioner Gillespie: Provided a list of priorities that the Commission needs to address: **1.** Requested to calendar a hearing on how to implement the 311 system into the taxi industry. If the 311 System is adapted it will help provide lost property recovery, complaints and compliments. **2.** Implement the driver surveys into a proposal that will establish benefits for all drivers. **3.** Implement the dispatch surveys. **4.** Continue to move forward on permit revocations. **5.** Amend Proposition K to make it a better law. **6.** His goals for the Taxi Commission are to get more hybrid taxi vehicles in San Francisco, work with Municipal Transportation Authority/Department of Parking and Traffic to reduce tickets that are given to taxi drivers, and pro-active enforcement, especially in the area of illegal limousine and out-of-town vehicle solicitation, etc.

Commissioner McGuire: Requested to calendar a hearing with Department of Parking and Traffic to discuss how to deceased the number of tickets given to taxi drivers while trying to pick-up fares. Requested a list of taxi stand locations. Requested at the PC&N hearing the Commission provided public comment by phone-in callers? Requested if an extension can be given on A-card renewals?

Commissioner Breslin: Concurred with Commissioner Barry's request to hold a discussion regarding releasing the wrap restrictions for non-London taxis. Requested guidelines on the type of advertisement that can be used on taxis for the Commissioners can recommend their preference. Recommended consistence in the top lights on taxicabs. The top lights should indicate if a cab is available or not. Echoed the words from a taxi driver article published in the S.F. Chronicle Newspaper, the taxicab driver encouraged all drivers to wait until their passenger is safely in their homes.

PUBLIC COMMENT

· **Barry Taranto:** Suggested reviewing or renewing yearly applicants that applied for time waivers. He believes the BART taxi stands are not going to work because of the other means of public transportation in the area. He attended the Municipal Transportation Authority meeting and he believes the price of taxi stands has been reduced by Department of Parking and Traffic.

· **Peter Witt:** Wished President Jackson a happy one-year anniversary with the Taxi Commission. Recommended better identification on the inside of taxis that would produce a high rate of lost property returns. He displayed a dispatch complaint from a customer. He showed a photo of what taxi top light looks like in the day and at night lit. He believes the Taxi Commission has ignored the customer surveys that he has prepared.

7. PUBLIC COMMENT

· **Robert Cesana:** Suggested because of the issues of workers compensation there should be written policy on the transferability of taxis from one company to another. Restaurants have problems getting a taxi because there is lack of communication.

· **Peter Witt:** He met Mr. Nelson while he was conducting his 2003 annual customer survey. The customer was very interested in his survey and about it. As he himself (the customer) uses surveys in his field of work. He rep.'s a large disrupting company in San Francisco. I asked the customers if he would like to study my findings and give me his analysis, as to what could be done to improve them. He contacted the customer after the complaint. And dropped off my grafts and totals. He provided a copy of the customer reply. He believes this should help give value as to what a customer survey's is worth relevant to taxi services, if it is retained and utilized rather then ignored and disagreed.

· **Barry Taranto:** Commissioner Breslin's comments regarding taxi drivers waiting from their customers to enter their home safe, should be included in the taxi driver training. He informed the Commission that police vehicles mainly occupy the taxi stand located on Church & 24th Streets. Suggested making taxi stand signs at eye level so the drivers can see the signs. There will be a new three-vehicle taxi stand next to the Superior Court building on Polk Street. There was a successful meeting at California Public Utilities Commission on setting some guidelines on pre-arrangement. The disciplinary officer has heard three permits that are all located at National Cab Company. Officer Kulstad did a great investigation on the fourth permit going before the disciplinary officer.

8. PRESENTATION OF THE TAXI COMMISSION 2003 ANNUAL REPORT.

Executive Director Little gave a presentation on the Taxi Commission Annual Report.

PUBLIC COMMENT

· Peter Witt: This is a complaint from a customer a couple of weeks ago about Yellow Cab dispatch system. I picked up this customer in the Mission district as a flag on Friday night around 8:45 p.m. He told him he was sorry he couldn't wait any longer for the cab he had called. Meanwhile at the same time, he couldn't even book in to my dispatch for about two hours. And as far as my voice radio goes...it hasn't worked for over two weeks. And we still don't have a dispatch committee yet, after six years. This is another complaint from another customer about the tops. He was wondering if the top lights on the cab is lit, does the cab already have a fare or is it available.

10. ADJOURNMENT

Adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN C. NEWSOM

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PAUL GILLESPIE, VICE PRESIDENT
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NAOMI LITTLE, EXECUTIVE DIRECTOR

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

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Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the January 13, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items
7. Public Comment (Please limit public comment to items not on the agenda)
8. Update and Presentation by Department of Parking and Traffic Regarding Neighborhood Taxi Stands. [DISCUSSION]
9. Hearing and Possible Approval of Interactive Touch Screen Kiosk. Presentation by Corey Gottlieb of Global Vision Interactive. [POSSIBLE ACTION]
10. Annual Public Convenience and Necessity Hearing for Taxicabs. Possible Action to Adopt a Commission Resolution Declaring Public Convenience and Necessity. (Correspondence from the Public.) [ACTION]
11. Adjournment

Taxicab Commission Agenda
Regular Meeting
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CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Abdelaziz Abdalla	Mahmood Ahmad	Jibran Ahmed	Rami Alfakhouri
Youcef Aissous	Erdogan Aksu	Amjad Ali	Mustafa Ali
Arshavir Aloyan	Irwan Azis	Mohammed Butt	Dean M. Clark
Ahmad Dajani	Baasandorj Davaadorj	Renato Dias	Elizabeth Dierken
Tou Duong	Sam Eissa	Aklilu Elala	Hatim Elkhawad
Renato Farias	Pedro Fernandes	Jesse Foster	Nader Gheith
Leslie Grays	Damon Hart	Siyhmane Hagos	Ricardo Honorato
Stanley Jackson	Senait Kebede	Rachid Lamnani-Idrissi	Gifford Law
William Lelis	Rodrigo Leite	Duc Tony Luong	Aung Lwin
Maung Lwin	Soe Maung	Andrey Menshov	Myoung Noah
Ahmed Nuri	Carlos Oliveira	Cristiano Pinheiro	Moises Pinheiro
Syed Rahman	Alex Roshets	Jonathan Seidenfeld	Cleverson Silva
Devinder Singh	Dharam Singh	Kulbir Singh	John Sirles
Mohamed Sobur	Nam Tran	Ersin Uzun	Dawit Wubineh
Mian Zulqarnain			

B. Recommendation of the Police Taxicab Detail for approval of Color Scheme Changes to:

1.	*Steven Doherty*	*471*	*Arrow Cab to American Taxi Cab*
2.	*Roman Katz*	*1268*	*DeSoto Cab to Alliance Cab*
3.	*Linus I. Oha*	*9060*	*Regents Cab to Luxor Cab*

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

Special 10-Day Notice of Taxi Commission Rule Change for February 10, 2004 Taxi Commission Meeting

1. Removal of Rule 5.C.29 Requiring Each Taxicab Driver to be equipped with a San Francisco and San Mateo County Street Guide or Map.

2. Removal of Rule 5.C.27 Requiring Each Vehicle to have the Vehicle Number Painted on the Roof, Hood or Trunk of the Vehicle.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the February 10, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER: *None* RAMPED TAXICAB: *None*

NEW COLOR SCHEME: *None*

COLOR SCHEME CHANGES:

1.	*James Lam*	*990*	*National Cab to American Taxi Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

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The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

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Taxicab Commission

January 27, 2004

ARTHUR M. JACKSON, PRESIDIENT

PAUL GILLESPIE, VICE PRESIDENT

JOHN BARRY, COMMISSIONER

PATRICIA BRESLIN, COMMISSIONER

MARY McGUIRE, COMMISSIONER

MIN PAEK, COMMISSIONER

MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

January 27, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Kelly Castagnaro - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL - The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE JANUARY 13, 2004 TAXI COMMISSION MEETING**

Commissioner Gillespie moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Smith
NOES: None

ABSENT: Breslin, McGuire, Paek

4. **APPROVAL OF THE CONSENT CALENDAR**

4A, B Driver of Public Vehicle for Hire Permits and Color Scheme Changes

Commissioner Gillespie moved the approval of 4A and B of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Smith
NOES: None

ABSENT: Breslin, McGuire, Paek

5. STAFF REPORT

Naomi Little, Executive Director: **1.** On January 26, 2004, the Board of Supervisors Land USE Committee approved the Taxi Commission's legislation to add section 1148.6 to the Municipal Police Code to allow ramp taxi medallions to be placed in regular spare sedan taxicabs when a ramp taxi is unavailable, to the full Board of Supervisors. As you may recall, this will allow ramp permitholders and ramp drivers to continue working to help offset the costs to maintain the ramp taxi. Just a reminder to Commissioners and an update for new Commissioners, cab companies must request from the Commission or specifically, Taxi Detail when they want to use a ramp medallion in a spare sedan. The request will be approved only if (a) The ramp is down for repairs or needs to be replaced due to a breakdown; (b) There are no spare ramp taxis available; (c) If there are three ramp taxis at a color scheme, only one can be used in a spare sedan; and finally; (d) The ramp medallion can only be used in a spare for up to 30 days. The Commission receives about five requests per month to use the ramp medallion in a spare. **2.** Tomorrow, January 28, 2004, the Commission staff will go before the Board of Supervisors Finance Committee to seek legislation that will allow the Commission to assess Administrative Penalties. **3.** Commission staff plans to have the Safety Report to you by February 9, 2004. I apologize for the delay. Staff is still researching statistics for the report, which were not available for today's meeting. **4.** I would like to introduce Kelly Castagnaro who has joined the Commission's staff. Kelly was the Deputy Press Secretary for Mayor Brown. She will be a great addition to the Taxi Commission, specifically since her primary mode of transportation is taxicabs. Kelly will handle Public Relations and Special Projects. 5. Finally, January 28, 2004 at the Board of Appeals, John Arkeder and James Neilly cases will be heard.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Barry: Requested to prioritize a hearing on the issue of releasing the wrap restrictions for non-London Taxis.

Commissioner Smith: Requested an updated list on the taxicab ramp vans that are in compliance with ramp order pick-ups.

7. PUBLIC COMMENT

- **Robert Cesana:** Recommended that the Commission have a written policy for workers compensation to resolve the issues of transferring taxis from one company to another.

- **Barry Taranto:** He wanted to speak on something similar to Robert Cesana's concerns. He distributed a letter to the Commissioner regarding workers compensation. He believes the process in obtaining workers compensation has been dictated too harshly. Informed the Commission of a meeting on Friday (1/30/04)

regarding installing a taxi stand at the Cliff House Restaurant.

8. UPDATE AND PRESENTATION BY DEPARTMENT OF PARKING AND TRAFFIC REGARDING NEIGHBORHOOD TAXI STANDS.

Jerry Robbins, Department of Parking and Traffic: He gave a presentation on neighborhood taxi stands.

PUBLIC COMMENT

- **Barry Taranto:** He believes the cab stand at Church and 24th Streets is facing in the wrong direction. Recommended a better public relation campaign and educating the taxi drivers on taxi stand locations.

- **Jean Michel Normand:** He has been driving a taxi since 1984. He recommended a telephone taxi stand and larger signage is needed for the taxi stands.

- **Robert Cesana:** He congratulated everyone for the taxi stand updates. He believes the Taxi Commission is not involved with the taxi stands at public buildings. There are still problems with the taxi stands at Moscone, Moscone West and Pac Bell Park that needs resolving. He wanted to know why is there a taxi stand at Hawthorne Lane.

- **Regis Rosetta:** He believes the problem with the Castro and18th Streets taxi stand is that it is facing south and all the traffic is going north. Suggested that the commission staff go to the locations of the taxi stands to check for proper usage by the public.

- **Jane Bolig:** Suggested taxi stands at all hospitals so the elderly could have better access to taxicab service. Suggested the Department of Parking and Traffic provide a hotline number so taxi drivers could call in and report non-authorized vehicles parking in the taxi stands.

- **Peter Witt:** Agreed with Jane Bolig's comments. Taxi stands are needed at all hospitals for the elderly, a hotline number to Dept. of Parking and Traffic, and a hotline number to the Commission for drivers to call in complaints. He believes this Commission lacks driver and public input.

- **Ruach Graffis, United Taxicab Workers:** Suggested asking the drivers where they want taxi stands. In response to Robert Cesana's concerns, Citywide Cab Company uses the taxi stand at Hawthorne Lane.

President Jackson requested item #10 be heard next.

10. ANNUAL PUBLIC CONVENIENCE AND NECESSITY HEARING FOR TAXICABS. POSSIBLE ACTION TO ADOPT A COMMISSION RESOLUTION DECLARING PUBLIC CONVENIENCE AND NECESSITY.

Commissioner Smith moved to approve the current authorized 1,381 taxi permits meet the Public Convenience and Necessity and does not warrant the authorization of any additional permits. Commissioner Paek seconded the motion. Motion passes 6-1

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith
NOES: Barry

THE FOLLOWING IS A TRANSCRIPT OF THE PUBLIC COMMENT (NOT A SUMMARY)

PUBLIC COMMENT

· **Jim Knight:** Good evening Commissioners. I am driver for DeSoto Cab and have been driving for DeSoto for 11 years and a member of UTW. I think there is a general consensus here there is too many cabs on the streets. So I like to throw out a few ideas not with providing a solution partially but just trying to get ideas on the table. One idea would be to have moratorium on re-issuing medallions, that's one option. Re-issuing maybe 50% of the medallions, re-issuing 30% of the medallions, re-issuing medallions as peak time permits, re-issuing medallions as peak time permits that can be converted at a later date to fulltime permits. Issuing permits as finite time permits, so that when you get a permit its not until the end of eternity but it would be a three-year permit or a five-year permit or a ten-year permit. Restricted use of full medallions, so that a medallion would be off the streets 3 days a month - 5 days a month something like that. Restricted use on a quarterly basis - 5 days out of the quarter, something like that. This is going to be controversial and I'm just going the throw it out - setting up retirement rules for medallion holders. Taxi industry has been kind of a lunatic fringe in terms of the transit industry. Something along the line of a Muni bus driver retirement schedule or Greyhound bus driver retirement schedule, something like that. So that drivers will be required to take a physical at the year 60 or possibly 65 or possible 70. Mandatory retirement for all medallion holders maybe at age 70/75/80 I don't know. I can't imagine someone driving a cab at age 75 - I've seen it done - its just not compliable it's a tough job. Leave of absence waiver for permit holders, so that they could retire their permits and travel the world for a year or they could visit some family members in another country and the medallion would just be taken off the streets. So those are a few ideas. Thanks for your consideration.

· **Mark Gruberg:** My name is Mark Gruberg taxi driver - medallion holder. Just to quickly mention some of the statistics and these are numbers that have been produced by or come through this commission. The dispatch business, according to the submission of cab companies, is down 19% since the year 2000 and 10% just in the previous year and the airport number shows a 40% decline in airport pick ups since the year 2000 and a 14% decline within the last year. Taxi business is suffering. There is plainly no need for more cabs. The best thing would be to reduce the number of cabs if there is a practical way to do that could be found. I want to comment on the suggestion of a moratorium because I think it's not the preferable approach. I think it would be largely in-effective because you're only going to get back about 25 maybe 30 permits in the course of a year. It would be several years before you would have enough cabs off the streets to make a difference. And, this is really a problem and needs to be solved before the year 2006 or 2007. So, the moratorium idea doesn't really thrill me. I think the best idea and I do think this is an appropriate topic for Public Convenience and Necessity because the purpose of the hearing is to determine what the level of service needs to be. I think the better suggestion would be to have certain cabs or have all cabs off the streets for a certain amount of time. I think two shifts a week off the streets would be appropriate for every cab in the city. I think this would allow companies the flexibility to take the cabs off the street when they were least needed. And the companies would schedule them to come off during the slower shifts. Slow shifts generally companies charge low gates so they would not be hurting as much financially. Slow shifts are often not filled at cab companies and if a cab isn't filled it is off the streets anyway so there is no loss of revenue there. Cab companies could schedule maintenance during these slow shifts which would produce a saving. And when a cab is not in use there is no wear and tear on it. So the economic impact of taking cabs off on slow shifts would not be that great. And cab companies have the further option if new revenue has decrease too much then lower the lease fee that they pay the permit holders, which create a tremendous, tremendous cushion and give them a tremendous amount of flexibility that is a suggestion.

· **Thomas George-Williams:** Hello, I'm Thomas George-Williams. The public must love it - you raise your hand and 1,000 cabs fight over you. All cabs pass in front of you and everybody tries and get you because we try to make a living and its really impossible these days. Even discussing more cabs is disgusting because you kill us basically. What we need is less cabs on the streets. The restaurant industry did it - they didn't have enough customers they closed down a sufficiently number - not the cabs were on an old level. I would say anyway to do it is on the table or add 500 cabs and make us city employees like bus drivers. If the public wants the service, pay for it - its that easy.

· **Peter Witt:** Good evening again Commissioners. First, I like to thank the Commissioners -well, thank this Commission or Naomi Little I not sure which but I noticed my survey is available to the public I believe. And I am very grateful for that. I also like to thank this Commission or Naomi Little for posting the phone number so the public can call. I hope the public would know more about this so they can take advantage it. I do believe there are plenty of people out there concerned about their taxi service. However, I do believe we still have a peak time problem. Peak times are on Friday and Saturday just like the rest of the world. You know the suggestion that we need 500 more cabs or the fact that we just have them sitting waiting to be dispensed when the economy changes is a little bit observed. First of all, I'd like to remind you in case you didn't know an economic business cycle - lets just call it a business cycle - there are minuet cycles and bigger cycles. They are not predictable and they're not consistent - they're inconsistent. So there's no way in predicting what the economy is going to be doing and evidently the Golden Gate Restaurant Association seem to think that more cabs hinge on the economics of this city. And I don't believe that's the case - I believe we have adequate flow, I believe we have inadequate service and I believe that we still have problems that needs to be

address and I believe we still have too many cabs on the streets at certain times. And again, that would be at peak time situation so you understand the problem I hope and then you can come up with the answer. I'm very reluctant to say anything to this commission because over the last five years, for the record, they have not listen to the drivers at PC & N hearing. They've only listen to, it seems, is the Golden Gate Restaurant Association and this disenfranchise drivers. It just gives us no hope at all and for you to come to life like a dominant grass - its amazing. I don't know how much input we can get and how much we can restore this commission to a good faith - working in good faith but I hope that can be established. I would strongly suggest that you just take away the 500 cabs just sitting waiting to be dispensed. There's no reason for them - if need be, we could add some more.

· **Barry Taranto:** Good evening. Unfortunately, there aren't a lot of speakers at this PC&N hearing. It must mean something. If the public is not here crying out for more cabs then obviously the public must be served. Unfortunately, there are times and there are places where that does not occur and that is inherited within the system and that should be looked at whether then putting more cabs on the streets. There already been studies proven that having a lot of cabs on the street actually diminished service. And right now, there are far too many cabs on the street than is needed most of the time. And personally, I am not in favor of actually putting a moratorium or taking medallions off the streets. But as my colleague previously spoken, I think you need to look at the possibility of - maybe for the next 6-9 months up to a year - lowering the number of shifts that each taxi is on the street. And create a system for doing that and maybe creating heavy fines for a cab that is on the street more than its allowed number of shifts. It may sound complicated and difficult to enforce and difficult to monitor but I think that there are a lot of cabs that do not work all 14 shifts a week already. And there are shifts that go unfilled and why continue to fill a shift that may be a waste of time for a cab driver and may actually hurt the vehicle by being out there that long, that many shifts. So I think the Commission should take a look maybe not tonight - maybe you need a proposal - an exact written proposal before you but look at whether a cab has to be out there all 14 shifts. Because there are many that are not on the street the whole time. And also that do you really want the cab driver to continue to go home with less than minimum wage on a shift - is that your goal? That a cab driver who may not work on a Friday or Saturday night has to continue to home with under $80-$100.00 a night. I mean, what is your goal? Do you want them to make a certain amount each night average or to you want them to continue not make money. I heard a long-time cab driver actually have quit and this is somebody that knows the business and knows how to make money. But he figured that it was a waste of his time. Do you want to continue that to happen or do you want to make sure that the experienced drivers stay out there. We need to make up this in your mind maybe not tonight but in the near future. It is really important that that take place. Thank you very much and please take this seriously.

· **Robert Cesana:** Good evening Commissioners. We're all myth that we haven't got a report, but we all know there are too many cabs out there. I would remind Commissioner Gillespie that we talked about one of the few things the Commission could do easily last year - and that is stop issuing dead medallions. That's an easy one. I have another suggestion why don't we divert the Taxi Detail into enforcing the limousine laws and make life a little harder for them because if we had a few more rides then there would be less pressure. In order to make money - if taxis had a couple of hundred more airports a day you wouldn't need to reduce the taxis because they would be making a little more money. I don't see any other practical measures that you can do to reduce the number of cabs. What you can do is the gesture of getting rid of this looming figure that we go from year to year to year of these 500 cabs. And we never formally said that we're not going to have them. I'm corrected - I'm sorry - anyway - those are my two suggestions. Thank you.

· **Jean Michel-Normand:** I'm working tonight and I really get worried right now this time how I'm going to be able to get $3.00 plus about $10.00 - $100.00 before 4:00. So I try to be okay - this work you've been asked here is to adequately properly serve - what that means is that its not depending on the number - we've known that for a long time - its to make this system of taxi we have Proposition K individual permit holder and these driver to work. Its not just the number of cabs. And one thing strikes me with this thing of service and getting the right people behind the wheel is that after you issued 400 more cabs some years ago we had a little bit of energy right with the new drivers and the provisional drivers. We also had a bad group of people who as soon as they got their permits they don't want to driver anymore. And they asked for special privileges. Proposition K is not really working, we don't have cab drivers driving taxis making money. Why is that? Why is very simply its not retroactive and it has never been enforced. And let me tell you something, to think about 1978 is Proposition K that is 26 years ago. I believe someone in 1978 could buy a medallion - was already middle-age it was expensive - ask the older people because I was not here - so those people are around 80 years old now. So my guess without being sentential is that they didn't have to drive and that seem to be the problem. But many of them are passing away because they are in their eighty's. What's happening there - the family not going to say anything, right? They have to deal with the company, the company isn't going to say anything because they can use the big profit from this medallion. The police taxi doesn't look at it - they looking the other way. So I'm 1,200 on the list and I'm always 1,200 and I will always be 1,200, because the list doesn't move and the service is not given to the driver to be able to give good service to the public.

· **Karen Horning:** I don't think this is the time to be considering adding additional cabs to the street, but the time to be taking them off. Hotels, restaurants and clubs are going under. Hotels aren't full force and retails are going bottom up. The only cut back in the cab industry has been from the driver pay. Not only don't many of us make minimum wage these days, but I know I had to pay the gates out of my pocket last Sunday night and I'm not the only one who does it. By increasing the number of cabs, by not even cutting back it is also making it dangerous for the public. Because you have all these cab drivers out there racing driving irately because they are desperate to try and make some money. So, it is also a threat to the public to keep these taxis on the road. And I really hope that this Commission, by whatever means, start to cut back on the medallions and take the cabs off the road. Thank you.

· **Tara Housman:** I was not aware that you would have SFO statistics, so I apologize - I don't know what it is you have or what you don't have. My apology is for the formatting on this - I just tried a spreadsheet program about a little over an hour ago. Anyhow, with this I took the April - the entire year ending April 2002, we had 3,425,059 passengers come through SFO, that from April 1999 to April 2000. That first year from April 2000 to April 2001 I took this because its not a busy time in cab land. As a matter of fact, its the horse latitude of cab driving - April is the cruelest month. There not major events, but we do have people flying in and out because of Easter. Anyhow this is before September 11th and before September 11th are business had already gone down 10% from the year before. Coming down here from April 2001 to April 2002, it goes down over 17% from the year before, that is not cumulative. And then yet another 15% between 2002 -2003 this is staggering. I understand that SFO is, I heard, is the third most fallen off airport worldwide since September 11th. I can't vouch for this statistic but something that I can vouch the San Francisco Convention and Visitor Bureau says that 85% of San Francisco visitors come here by air and so that's one of the reason why we have been suffering so much more than other places. Our tourist isn't flying much and it is hurting. Now, all those figures really boil down to this-between April 2000 to April 2003 and I haven't even taken into account the past nine months. The decrease have been 37.27%. That's how many fewer people are flying in and out of SFO. Now, given that the rest of the country is

more prosperous then we - you can figure that San Franciscans, Bay Area folks are taking cabs even less because we're affording it even less than folks that are visiting. Jim Knight stole a lot of my thunder with all of this good idea, which we're better than mine. In addition to drafting legislation so that can decrease the number of cabs and I feel bad about that because it makes it seem like "I got mine - screw you" when you're trying to get yours. I feel bad about that, also I feel that Golden Gate Restaurant Association and taxicab drivers could get together and try. I think that we desperately need BART to come - to be working at least until 2:00 a.m.

· **Ruach Graffis:** My name is still Ruach Graffis and I'm still with United Taxicab Workers. It is amazing when you have a whole bunch of people and were working with the same numbers and each person comes up with a slightly different take on this. We have two ways that we could take a look the decrease in San Francisco taxi business. You heard about the airport, and that has gone down cumulative 41.4% since January 2000. If a trip to San Francisco Airport cost at least $30.00 that would mean the drivers have lost $21,076,590. This is huge. The radio business - we've gotten a decrease of 19.5% in radio business since 2000, that's 483,087 rides. That worked out - if you figure that a radio call is $10.00 a ride, that's works out to almost $3,500,000 that drivers have loss. Theoretically, were talking that drivers have lost over $22 million in three years - I mean $22,261 per cab in those three years. In that kind of situation we certainly do not need more cabs. I would also like to point out that San Francisco according to the Chronicle on August 10th say we are losing population the fastest of any city in the United States. Censes shows a drop of 1.5% - we don't need more cabs ladies and gentleman. What we need is help for the drivers. Thank you.

· **XXXX:** He has been driving for over 20 years. It's slow out there, everybody have already said it. But there are fixed things in this industry that we haven't discussed. Our gates are fixed. The reason our revenue have decrease and our expense are the same. In any other industry demand flexuate. So, it is not only the amount of cabs that are out there before people are discussing things about taking people's property, using them selectively like four days to five days. I don't think that's going to work. The medallion holders have already invested - they have brought cars, they're hard workers. On those days that are slow, if I have a shift that I'm driving - is somebody going tell me that I can't drive those days? Are they going to give me a better shift? Those things are not practical. What I am saying is that when it is slow, in any other business, maybe we will pay less but in this business, we cannot pay less. We just cannot look at the number of cars out there and the hardship that the drivers are experiencing and say well everything else is written in stone. And my other thing is in this city we have increased our capacity in the last three years. There are four new hotels, different restaurants. Every statistic I saw was from 1999 to 2001 was probably the busiest year in San Francisco for cabs and everybody. If we're going to see statistic let's see statistic for the last ten years. That would give a better idea of where we are historically. Let's not hold another hearing another year. From everything that I hear the economy is picking up - I hope so - as a driver and as a person on the list. And if we have to wait another year it's going to be to late.

· **Regis Rosetta:** Hello Commissioners. I had a couple of good ideas - one of them would be centralized dispatch. Since we say we have enough cabs there - on our buses wherever MUNI is .....I think what we have enough of we're just not allocating the resources better. And I think that if we had a board, a map and you could see where all the cabs are through GPS satellite. Then you would be able to see whether you need more cabs or not and where they are all piling up at. I think I would volunteer and spend my own time and find a company that would donate time to put the GPS satellite on some cabs for a survey or something. And that way if the city decided to go with them on a contract they could do it for free. People want to do business in the City. So, if you could go up to a company that does GPS satellite

and say okay here's 500 cabs - we want 500 free of them - we want you to do a map and we want to do it and give us a little survey of this. And that would better inform you on whether or not you need more cabs or not. And then on the board like on the MUNI or subway in New York city you can see where all the cabs are - where they are all hanging out at. Then that would let you know they're all at the airport, they're all downtown then you send them to the neighborhood stands at your five stands or wherever ten in the City where they are. I think I heard a gentleman, a Commissioner over here talk about technology it here - I think you just need some people with innovation and some ideas to make it better for everybody. So, not add more cabs I wouldn't do that, but let's see where the cabs are now and make an intelligent decision based on where they are all going on how to allocate with that. I think that if you need volunteers from the community - I'm volunteering from the community to say that I can put the energy in. So I have given my card to staff but I have people in technology that would like to help out, like to contribute, how could we make it better and do it. I mean, if you could have GPS satellite on buses, you can have them on cabs too, you got them on subways. So that would be my recommendation to help you make an intelligent decision down the line.

· **Edward Evans:** I'm a local disability activist in San Francisco. First of all, I have to agree with Mark Gruberg's. I originally called in about item #10 which was an hour ago. I think you need to find a new way of handling your telephone calls. Another thing is, I'm in favor of centralized dispatching. That would cut down on the double and triple calling that people have and you would get a primary cab coming out to you. That is what people are looking for. I'm in a wheelchair and I have never seen any diagonal parking in San Francisco. So having railroading wheels on taxis for the disabled is crazy because we have to be let out in the streets. I am in favor of getting durable equipment for side loading taxicabs. And we have to keep the taxicabs working for the disabled. Give them a discount at the gates, so that they don't have to be making trips to the airport and sitting in front of the hotels and down at Fisherman Wharf all the time. So, I hope that you take these considerations and work on them. Thank you very much.

9. HEARING AND POSSIBLE APPROVAL OF INTERACTIVE TOUCH SCREEN KIOSK.

Corey Gottlieb of Global Vision Interactive: He gave a presentation on the interactive touch screen.

Commissioner Gillespie moved, at the call of the Chair, to continue this item until further research could be performed. Commissioner Barry seconded the motion. Motion passes 4-3

AYES: Gillespie, Barry, McGuire, Paek **NOES:** Jackson, Breslin, Smith

PUBLIC COMMENT:

- **Mark Gruberg:** He urged the Commissioners not to approve. Strongly against. In the Taxi Commission Rules it states "you can't play the radio in you cab." He asked if cab drivers would have to be subject to listening to advertisement for their entire shift?

- **Tara Housman:** Suggested the Commissioners study the interactive touch screen carefully and to not make a decision tonight. She asked if the sound could be turned down by the cab driver. Questioned how much revenue it would bring in for the cabs, what the obligation are to maintain it and how much space does it take up in the cabs.

- **Ruach Graffis:** She is speaking as a private party not on behalf of UTW. She believes the touch screen will be distracting to the drivers and it will be a safety issue.

- **Regis Rosetta:** Recommended installing the touch screen on a trial period. Suggested obtaining data from other cities where the touch screens are already operating. He believes it is a great idea.

- **Jane Bolig:** She questioned who would benefit financially, how would it be mounted, where would it be mounted, would the mounting be a safety hazard and who will maintain these devices? Suggested an independent survey be conducted from drivers and customers from the cities where the touch screens are operating.

- **Peter Witt:** He believes the sound from the advertising would be annoying to taxi drivers. He states that San Francisco has the best service in the nation as far as the quality of cabs.

- **Barry Taranto:** Suggested not taking away the customer service relationship between the taxi driver and the customer. San Francisco is a tourist city and cab drivers are very knowledgeable about their city. He suggested using the touch screen on a test trial in a few of the taxis before offering it to the entire taxi fleet.

11. ADJOURNMENT

Adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN C. NEWSOM

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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February 10, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the January 27, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Possible Approval of a Resolution Encouraging the California State Legislature to Introduce Proposed Amendments to the California Public Utilities Code Relating to Regulation of Limousines by Cities and/or Counties. (Draft Legislation) [POSSIBLE ACTION]
9. Hearing and Possible Approval of a Resolution Encouraging the California State Legislature to Pass Legislation to Modernize Laws Related to Alcohol Closing Hours. (Draft Legislation) [POSSIBLE ACTION]
10. Hearing and Approval of Taxi Commission Fiscal-Year 2004-2005 Proposed Budget. (Memo from the Executive Director) [ACTION]
11. Hearing and Possible Approval of the Removal of Rule 5.C.27 Requiring Each Vehicle to have the Vehicle Number Painted on the Roof, Hood or Trunk of the Vehicle. [DISCUSSION OR POSSIBLE ACTION]
12. Hearing and Possible Approval of the Removal of Rule 5.C.29 Requiring Each Color Scheme Holder Ensure a Map of the City of San Francisco be Permanently Affixed to the Interior of Each Vehicle. [ACTION]
13. Adjournment

Taxicab Commission Agenda
Regular Meeting
February 9, 2004, 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Color Scheme Changes to:

1.	*James Lam*	*990*	*National Cab to American Taxi Cab*

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

Special 10-Day Notice of Taxi Commission Rule Change for February 24, 2004 Taxi Commission Meeting

1. Removal of Rule 4.A.10 Requiring All Medallion Holders Drive Their Own Medallion Number Vehicle.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the February 24, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER: *None*

RAMPED TAXICAB: *None*

NEW COLOR SCHEME: *None*

COLOR SCHEME CHANGES:

1.	*Mary McGuire*	*474*	*National Cab to Metro Cab*
2.	*George A. Lancia*	*846*	*National Cab to Bay Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

February 10, 2004

ARTHUR M. JACKSON, PRESIDIENT

PAUL GILLESPIE, VICE PRESIDENT

JOHN BARRY, COMMISSIONER

PATRICIA BRESLIN, COMMISSIONER

MARY McGUIRE, COMMISSIONER

MIN PAEK, COMMISSIONER

MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

February 10, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks - Taxi Commission; Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE JANUARY 27, 2004 TAXI COMMISSION MEETING

Commissioner Gillespie moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Smith
NOES: None

ABSENT: Breslin, McGuire, Paek

4. APPROVAL OF THE CONSENT CALENDAR

4A Color Scheme Changes

Commissioner Gillespie moved the approval of 4A of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, McGuire, Smith
NOES: None

ABSENT: Breslin, Paek

PUBLIC COMMENT

· **Peter Witt:** 1. Are their no new prospective drivers? 2. Is there or is there not a public access phone #, because I see none posted. Nor did I see any P.C.&N. notices posted at my shop last month. 3. The removal of the rule that says "owners have to drive their own cab" a) runs counter to Proposition K, b) Enhances the system of "long term leasing", c) Paves a new road for absentee ownership, d) Widens the "loop hole" and potential abuse by owners, e) And lessons "service" both by disconnecting the drivers from their companies. While at the same time producing even lesser accountability for the companies then they already have today. 4. Commissioner Mary McGuire, who is suppose to represent "the labors" who owns a medallion, who did not oppose adding more cabs before she become an owner. Now wants to go to Metro. I know the G.M., (Richard H.), and there not a finer manager in this industry. But...as "pre your own guidelines", Commissioner McGuire, a sufficient reason must be given "to this Commission" as to how this change...improve service to the public?

5. STAFF REPORT

Naomi Little, Executive Director: 1. On Wednesday, February 11, 2004 at 12:30 p.m., the Board of Supervisors Finance and Audits Committee will hear the Taxi Commission's proposal to establish Administrative Penalties. It was continued from January 28, 2004 to February 11, 2004. **2.** Thursday, February 12th, at 11:00 a.m., on the steps of City Hall on Dr. Carlton B. Goodlett Place, the Taxi Commission will hold a press conference with Mayor Newsom and Supervisor Alioto-Pier to unveil the new London Taxi. Additionally, members from the London Fleet and the Deputy British Consul General Peter Broom will be in attendance. **3.** On December 18, 2003, this Commission held its Annual Safety Hearing. I would like to thank Commissioners Gillespie, Smith and McGuire for attending the Safety Hearing. Inspector Suslow presented the taxicab crime statistics and taxicab vehicle's accident statistics. That report is in your packages. The meeting began with a Report of the Taxi Commission accomplishments for 2003. As you know, this Commission continuously evaluates the safety of the drivers, vehicles and public. Our biggest accomplishment in 2003 was the implementation of security cameras in all of San Francisco's taxicabs. Additionally, the Commission established a drivers training working group to re-evaluate drivers training to provide better safety on the road for drivers, passengers, pedestrians and bicyclist. In 2003 we addressed vehicle inspections and continuous talking on cell phones while passengers are in the taxicabs. The primary concern at the safety hearing was better informing the cab drivers about the security cameras procedures when a crime or assault occurs. For this reason, Inspector Suslow prepared a report that reviewed the 2003 taxicab robberies, in which the Police Department utilized the Safety Cameras.

Inspector Farrell Suslow, S.F.P.D. - Taxi Detail: A review of the 2003 taxicab robberies to determine the case outcome and the usage of security cameras in the cabs. During calendar year 2003, there were twenty-one robberies of taxicab

drivers. Case #1-9: Occurred prior to the installation of security cameras. One suspect in one robbery was caught by other means, remainder of cases still open. Case #10: Security camera photo used and contributed to the arrest of the suspect. Case #11, 12 & 13: No photos available-cases still open (all cabs were still not equipped with cameras at this point and some cameras had not been installed properly. These issues have now be rectified). Case #14, 15 & 16: Photos from #16 contributed to arrest of suspect for all three cases. Case #17: Photos not used, suspect identified and arrested by other means. Case #18: Security camera photo used and contributed to the arrest of the suspect. Case #19: Suspects were not in the cab when they committed the robbery, were identified and arrested by other means. Case #20: No photos available, the lens had been removed, case still open. Case #21: Security camera photo used and contributed to the arrest of one suspect, two additional suspects in this case are still outstanding. In addition to the robbery case where security camera cases were used, the Police Department downloaded the photos in two other cases: #1: A "Hate Crime/Assault" case and the photos assisted in the arrest and conviction of the suspects. #2: Battery/Suspicious Occurrence, case still open.

Sergeant Vince Simpson, S.F.P.D. - Taxi Detail: He gave an update on the October 2003 Taxi Detail Color Scheme Audit report. In the report there is still a lack of accountabilityinvolving the long-term lease arrangement and the Medallion holder operator lease arrangement. He advised the Commissioners of the Taxi Detail intent to perform more in-depth audits of individual color scheme. To date, Taxi Detail has issued 80 citations and formal admonishments to drivers and medallion holders involving the operation of medallions and their leases with the companies. Again, drivers are not changing shifts at the companies, drivers are not turning in waybills at the end of their shifts, they are not parking the cabs at the companies and when the cab is medallion owner operated, the medallion holder operators are not insuring their drivers are complying with the rules and regulations. Notices will be sent out informing drivers that they will be held accountable to the rules and regulations involving waybills, shift changes and where they park the taxicab after their shifts have ended.

PUBLIC COMMENT

- Robert Cesana: He will submit an updated email and mailing address to the Commission office on behalf of the Permit and Driver Association. He wanted to see a copy of the amended administrative penalties. Suggested a mandated rule that states that a driver could request photos to be downloaded from the security cameras and held in abeyance until the dispute is settled.

- Peter Witt: Agreed with Mr. Cesana's comments regarding drivers being allowed to request downloaded photos. Thanked Taxi Detail for the updated crime statistics. Suggested not removing Rule 4.A.10 requiring all medallion holders to drive their own medallion number vehicle.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested an updated list on the taxicab ramp vans that are in compliance with ramp order pick-ups. Recommended meeting with Jerry Robbins, Department of Parking and Traffic, to discuss installing taxi stands in front of bars, restaurants and nightclubs.

Commissioner McGuire: Requested to calendar a hearing regarding changing the procedures to allow public comment during disciplinary hearings. Requested an update on corporate permits.

Commissioner Barry: Requested an immediate review of the criteria needed to be placed on the medallion waiting list. Suggested releasing the wrap restrictions for non-London taxis.

PUBLIC COMMENT

· **Barry Taranto:** He suggested the Commission should make a decision regarding the time waiver issue. The Board of Appeals allows for public comment during their hearing regarding taxi issue, recommended the Taxi Commission Hearing Officer allow public or written testimony during its hearings.

· **Peter Witt:** Thanked the Commission for requesting a review of the medallion waiting list. Suggested establishing a task force or sub-committee to review the medallion waiting list procedures. He stated it is impossible to enforce ramp driver pick-ups.

7. PUBLIC COMMENT

· **Robert Cesana:** He feels the Commissioners should resign because he feels the Commission is relinquishing its power to the Executive Director.

· **Barry Korengold:** He provided his reasons for not being excited about the London Taxi coming to San Francisco. The diesel fuel and the wrap rule for the London Taxi.

· **Peter Witt:** I've been labeled as the rudest person ever and in riffing that I smoke bad grass. I've been thrown out of this Commission by the last President and not allowed to introduce myself by this President. I've been denied the use of the projector, while others have not. I've been repeatedly interrupted and told I have been off the subject and threatened to be thrown out again, while "taking my public comment time." Let it be clear, I repeat, on November 14th at the special meeting in H.P., not one person from the "general public" that lives in H.P. came to comment. I don't consider three staff members from the Department of Human Resources or the facility's Manager (all city employees), to be members of the general, (Cab drivers I do). A joint conspiracy to assassinate my character "possible" "defamation of my character most certainly." (with no support from U.T.W.) I'm very concerned about

the "public input process." Take the complaint cards, for instance, in the cabs. There's no place for compliments. And most disturbing is the fact, that there addressed to the SFPD Taxi Detail, when if fact, the director of this commission is supposed to respond to inquires from the public. #10 under "essential functions". Why create needless expenses, such as time delays, added a paper work to staff, not to mention the cost in dollars that could be saved. If they were simply address to the taxi commission. Also there not prepaid - there's no stamp on the card.

· Barry Taranto: He agrees with all drivers having worker compensation, but disagrees with the guidelines and procedures. Recommended the Commissioner read the "night cabbie" article. Suggested educating the Commission on why cab drivers go to the airport.

8. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION ENCOURAGING THE CALIFORNIA STATE LEGISLATIVE COMMITTEE TO INTRODUCE PROPOSED AMENDMENTS TO THE CALIFORNIA PUBLIC UTILITIES CODE RELATING TO REGULATION OF LIMOUSINES BY CITIES AND/OR COUNTIES.

Mark Gruberg, United Taxicab Workers: He gave a presentation on the limousines issues.

Commissioner Barry moved the approval to encourage the Board of Supervisors to urge the California State Legislative Committee to introduce proposed amendment to the California Public Utilities Code to regulate limousines by cities and/or counties. Commissioner Smith seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **NOES:** None

ABSENT: Paek

PUBLIC COMMENT

· Barry Taranto: He supports the limousine legislation. He believes that doormen and managers have a relationship with the limousine companies which allow limousines to park legally or illegally around hotels.

· Peter Witt: First thank you for attention to this item "limos". I hate to repeat myself - Division 11: Rules of the road - Chapter 1: Obedience to and effect of laws - Article #3: Local regulation and rules #21100 - Sec. K is "regulating cruising". Local authorities my adopt rules and regulations by ordinance or resolution regarding the following matters. Proving a warning has been given, a sign posted in defined area beginning and ending, portion of streets, designated areas. This commission should be working with the board about this. And the CPUC on "BEEFING up the fines

against illegal limos. And DPT and the SFPD with respect the "Law enforcement". What can be enforced? Proper lic., reg., ID, and waybill. All though in 1998 the hotels said they'd drop the limo contract.

· **Barry Korengold:** Agreed with the all the previous speakers. Agreed with Commissioner Smith's comments regarding cracking down on hotel staff as well as limousines. This legislation would give more power to local authorities to do enforcement on the limousines that are taking away cab business.

· **Tara Housman:** She urges the Commission to approve the limousine legislation. She volunteered to go to Sacramento for a rally or meeting, if needed.

9. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION ENCOURAGING THE CALIFORNIA STATE LEGISLATIVE COMMITTEE TO PASS LEGISLATION TO MODERNIZE LAWS RELATED TO ALCOHOL CLOSING HOURS.

Commissioner Breslin: Gave a presentation on the modernize laws related to alcohol closing hours.

Commissioner Gillespie moved the approval to urge the Board of Supervisors to encourage the California State Legislative Committee to develop legislation to modernize California's last call laws to allow alcohol service pass 2:00 a.m. in major metropolitan cities. Commission Smith seconded the motion. Motion passes 4-2

AYES: Gillespie, Breslin, McGuire, Smith **NOES:** Jackson, Barry

ABSENT: Paek

PUBLIC COMMENT

· **Mark Gruberg:** Urged the Commission to support this legislation. It will bring business to the taxi and hospitality industries if nightclubs and bars are allowed to remain open past 2:00 a.m.

· **Barry Taranto:** Thanked Executive Director Little for bringing this resolution to the Commission. It would relieve taxi drivers from being overwhelmed between the hours of 1:30-2:00 a.m. on Friday and Saturday nights with people wanting taxi services. Suggested taxi stands be installed at these after-hour locations.

· **Barry Korengold:** He agrees with the previous speakers. San Francisco is an international city, and if this legislation is passed, it will spread out the number of

passengers needing transportation at the same time.

· **Peter Witt, Native San Franciscan:** He believes there is a connection between hotels, restaurant and taxis businesses and the common denominator is the business cycle.

10. HEARING AND APPROVAL OF TAXI COMMISSIN FISCAL-YEAR 2004-2005 PROPOSED BUDGET. (MEMO FROM THE EXECUTIVE DIRECTOR)

Executive Director Little: Presented the 2004-2005 Taxi Commission proposed budget.

Commissioner Barry moved the approval of the 2004-05 Taxi Commission Proposed Budget. Commissioner Breslin seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith
NOES: None

ABSENT: Paek

PUBLIC COMMENT

· **Tara Housman:** She believes there was not enough time for the public to give meaningful comments and for the Commission to having meaningful oversight over the budget. Suggested that next year's proposed budget, data and suggestions should be made available before the Commissioners cast their votes.

· **Peter Witt, Native San Franciscan:** How about putting taxi stands in the budget? Or maybe owners could donate some money to the taxi commission, in order to promote taxis in S.F., and for better service. Or maybe the Golden Gate Restaurant Association could kick in a few bucks so we could have some taxi stands if the taxicab commission doesn't have any money. But to take it out of the drivers suppose it retirement fund, or health fund. Compromises the funds intent and only further depletes.

· **Barry Taranto:** Suggested continuing this item until February 24, 2004 meeting. He had concerns with the re-organization of the Commission staff specifically the Deputy Director position as listed in the budget. Thanked the Executive Director for allocating $5,000.00 in the proposed budget for taxi stands.

11. HEARING AND POSSIBLE APPROVAL OF THE REMOVAL OF RULE 5.C.27 REQUIRING EACH VEHICLE TO HAVE THE VEHICLE NUMBER PAINTED ON THE ROOF, HOOD OR TRUNK OF THE VEHICLE.

Sergeant Vince Simpson, S.F.P.D. - Taxi Detail: Gave a report on why this rule was established.

Commissioner Smith moved to leave Rule 5.C.27 in place. Commissioner Barry seconded the motion. Motion passes 4-2

AYES: Jackson, Gillespie, Breslin, Smith **NOES:** Barry, McGuire

ABSENT: Paek

PUBLIC COMMENT

· **Tara Housman:** She has mixed feeling regarding this rule. The 18" letters are expenses and Taxi Detail no longer has air support. Suggested liaison with other jurisdictions to identify each county taxicab service.

· **Peter Witt:** I would agree the numbers on the cars are important, but are they more important then the "drivers list". I guess so. Who thought we should have them put on to begin with? Good question. Yes, they look threaten and could give us a bad impression. But is it that good any more. What's it good for, who benefits from its use, does it work? Maybe we should have the numbers in neon, so we can turn them on when we "get mugged" or "are out of town" or maybe "invisible ink".

· **Jane Bolig:** There are two ways these numbers are helpful: 1) For jurisdictions that have air support; and 2) San Francisco Airport. She questioned in what ways were these numbers helpful and in what cases?

12. HEARING AND POSSIBLE APPROVAL OF THE REMOVAL OF RULE 5.C.29 REQUIRING EACH COLOR SCHEME HOLDER ENSURE A MAP OF THE CITY OF SAN FRANCISCO BE PERMANENTLY AFFIXED TO THE INTERIOR OF EACH VEHICLE.

Sergeant Vince Simpson, S.F.P.D. - Taxi Detail: He gave a presentation regarding rule 5.C.29.

Commissioner Smith moved the approval to removed Rule 5.C.29. Commissioner Barry seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **NOES:** None

ABSENT: Paek

PUBLIC COMMENT:

· **Peter Witt:** He provided history about this Rule 5.C.29. He believes this was an oversight and Rule 5.C.29 put all the responsibility on the taxi drivers not the taxi companies or owners.

· **Jane Bolig:** The previous speaker may have tried to change your Yes votes into No votes. In favor of removing Rule 5.C.29.

10. ADJOURNMENT

Adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN C. NEWSOM

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

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1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the February 10, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Possible Approval of Amending the Taxi Commission's Advertising Wrap Procedures. [POSSIBLE ACTION]
9. Hearing and Discussion of the Removal of Rule 4.A.10 of the Taxicab Commission's Rules and Regulations Requiring All Medallion Holders Drive Their Own Medallion Number Vehicle. [DISCUSSION]
10. Hearing and Discussion of the Taxi Commission Permit Holder Waiting List. [DISCUSSION]
11. Adjournment

Taxicab Commission Agenda
Regular Meeting
February 24, 2004, 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Ahmed Abouelseoud	William Almeida	Leandro Asercion	Luis Batista
Guilherme Borges	Samer Bouri	Paulo Costa, Jr.	Djiby Coulibaly
Sean Daley	Michael Davis	Terrance Early	Christopher Eng
Kevin Engsoe	Michael Favretto	Abram Gezahegn	Cristian Gladelabarca
Brian Green	Carolyn Jordan	Alexander Kaplunov	Reyad Kayed
Sharesce Kheriji	Leonor Kreutzer	Phong Lang	Danny Leung
Devin Lobo	Ahcene Messara	Jan Magalinsky	Vitali Makarkin
Victor Mirzahanov	Samy Moustafa	Luciano Neves	Heon Park
Khan Qureshi	Gurdarshan Ratoul	Ibrahim Reyhanoglu	Fernando Ribeiro
Abdi Samatar	Hidayat Shaikh	Alan Silva	Luciano Silva
Renato Silva	Ran Singh	Leandro Sousa	Guilherme Souza
Asep Sutrisno	Luiz Tavin	Matt Thomas	William Toler, III
Jeffrey Torin	Gizaw Yewaydemam	Isam Zumot	

B. Recommendation of the Taxi Commission for approval of Taxicab Color Scheme Changes to: (Approval is conditional upon the applicant's notification to the Taxi Commission of the Specific Date of change and that such change be completed within ten (10) days of Commission Approval).

	Medallion Holder	Cab #	Color Scheme
1.	Mary McGuire	474	National Cab to Metro Cab
2.	George A. Lancia*	846	National Cab to Bay Cab

*Application Withdrawn 2/10/04

C. Possible Approval of London Taxi Wrap Color Scheme with Cingular Logo Effective February 25, 2004. Applicant is Luxor Cab Company Medallion Nos. 120, 823, 974, 1066 and 1148.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the March 9, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
Samuel Kaplowitz	*Kenneth Eng*	*None*
Majamal Qhurshed		

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*Ali Bastani*	*769*	*Luxor Cab to Veterans Cab*

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

February 24, 2004

ARTHUR M. JACKSON, PRESIDIENT

PAUL GILLESPIE, VICE PRESIDENT

JOHN BARRY, COMMISSIONER

PATRICIA BRESLIN, COMMISSIONER

MARY McGUIRE, COMMISSIONER

MIN PAEK, COMMISSIONER

MARTIN SMITH, COMMISSIONER

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NAOMI M. LITTLE, EXECUTIVE DIRECTOR

MINUTES

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Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

February 24, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

ABSENT:

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Kelly Castagnaro - Taxi Commission; Captain O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE FEBRUARY 10, 2004 TAXI COMMISSION MEETING

Commissioner Gillespie moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Paek, Smith
NOES: None

ABSENT: Breslin, McGuire

PUBLIC COMMENT

· Peter Witt: First, the minutes could be posted ahead of time on the Internet so the public could review them in case there are any clerical errors or misrepresentations that should be corrected or eliminated prior to your approval. Because they seem "mostly" to get approved no matter what the case!

4. APPROVAL OF THE CONSENT CALENDAR

Commissioner Gillespie requested to sever item C of the Consent Calendar.

4A, B Driver Public Passenger Vehicle Permits and Color Scheme Changes

Commissioner Gillespie moved the approval of 4A and B of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, Paek, Smith **NOES:** None

ABSENT: McGuire

PUBLIC COMMENT

· **Peter Witt:** I'm very interested in why Commissioner McGuire, Yellow Cab driver and labor representative, has been on this commission for almost five years and who owns a medallion. Why, as per her own guidelines, does she think Metro Cab is better then National Cab? Any why not Yellow Cab.

4C London Taxi Wrap Color Scheme with Cingular Logo effective February 25, 2004. Applicant is Luxor Cab Company Medallion Nos. 120, 823, 974, 1066 and 1148.

Commissioner Smith moved the approval of 4C on the Consent Calendar. Commissioner Barry seconded the motion. Motion passes 6-1

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith
NOES: Gillespie

PUBLIC COMMENT

· **Robert Klein:** Introduced the Cingular wrap to the Commissioners. He gave an update on where they were with San Francisco's London taxis. As of now, all 15 London Taxis have arrived from England. Ten have been wrapped with the ING Direct logo, and five are awaiting approval. Described the design of the wrap. Recommended no further regulations at this point. The advertisers in this case designed a tasteful wrap.

· **Brad Saul, Disability Community Advisory Board in Illinois:** He is a part

of the disability community. He uses a London taxi to get to and from work everyday. He explained the London taxi advanced disability features, including the swivel seat and the wheelchair ramp, although the ramp is not ADA compliance. The seven-year service life is critical in making the London taxi a reality in San Francisco on an on-going basis.

· **Marc Klein, President of London Fleet:** He explained that the special exemption given to the London taxi is legal. The advanced disability features of the London Taxi, the benefit to the people of San Francisco, tourism and the high price of the London Taxis all equate to a reasonable and rational decision for the special exemptions. The London Fleet only wrap advertising with respect the London Taxi and have no interest in opening the flood gates of wrap advertising all of San Francisco Taxicabs.

· **Peter Witt:** I'm still concerned about public input considering most of you, if not all of you commissioners, don't take cabs regularly. Are we or are we not going to have phone access for public comments during these meetings, as was indicated we would by this commission? You may not realize on the Consent Calendar there's a phone number to call the Executive Director or fax number posted or listed on the agendas, which should also be posted at cab shops.

· **Barry Taranto:** He does not object to the London Taxis on San Francisco's streets. He had concerns with having two different advertisers at one company that the public would not know which cab company owned which vehicle. The cab company name is in small writing and not in the usual place. Recommended making it easy for the passenger to figure out cab companies and numbers.

· **Robert Cesana, Yellow Cab and PDA:** He has always be in favor of London Cabs. Concerned over London taxi's misrepresentation regarding disability. Suggested getting the cab companies to tally how many disabled users use the cabs (are they flagged or pre-booked). The Commission is allowing wraps for the van program, which is also expensive. In fairness, keep tally for the London taxi as well.

· **Laurie Graham:** She informed the Commissioners of her recent appointment as chair of the Paratransit Coordinating Council. Concerned about misrepresentation about what San Francisco does with their disabled community. She had safety concerns. None of the London Taxi drivers are trained to drive ramp taxis. Concerned that the London taxis are not ADA compliance.

5. STAFF REPORT

Sergeant Vince Simpson, S.F.P.D. - Taxi Detail: During the 2003 calendar year, the Taxicab Detail conducted a total of 34 enforcement operations targeting limousines, out of town taxicabs and unpermitted vehicles that were unlawfully soliciting fares in San Francisco. Most of the operations were conducted on weekend evenings. Limousines drivers and/or their agents who either solicited the undercover officers or passengers from any public street, sidewalk or other public place were issued misdemeanor citations for violations of 1105 of the San Francisco Municipal Police Code. Drivers of out-of-town taxicabs and/or of unpermitted/unlicensed vehicles who had picked up officers posing as taxi customers or were observed picking up other taxi fares in San Francisco were issued misdemeanor citations for violations of 1078(a) of the San Francisco Municipal Police Code. If a driver had been previously cited for the

same violation within a year, officers impounded their vehicle as evidence. Drivers were also cited for other miscellaneous violations relating to the operation of their permits. A summary of the Detail's enforcement actions is listed in the tables below.

LIMOUSINES	ARRESTS	TOWS
1105 MPC Violations	31	8
Other Misc. Violations	5	2

OUT OF TOWN TAXIS	ARRESTS	TOWS
1078(a) MPC Violations	8	3
Other Misc. Violations	9	1

UNPERMITTED VEHICLES	ARRESTS	TOWS
1078(a) MPC Violations	2	1
Other Misc. Violations	1	0

In addition to operations conducted in San Francisco, officers assigned to the Ground Transportation Unit conducted two weekend operations at SFO and cited a total of seven limousine drivers for unlawful solicitation at the airport.

Naomi Little, Executive Director, Taxi Commission: On Tuesday's night, the Board of Supervisor's meetings occur simultaneously as the Taxi Commission meeting. Therefore, the television viewers who wish to call in to comment will not be able to call in because the Taxi Commission hearing are sometimes not aired live. At the Board of Supervisor's Finance Committee, the administrative penalties legislation was continued at the "call of the chair".

PUBLIC COMMENT

- **Peter Witt:** Thanked S.F.P.D. Taxi Detail for update. Suggested than fines generated from legal and illegal limousines operating in San Francisco could be utilized for enforcement. He wanted to make public what bars use limousines as soliciting services and maybe restaurants. He has been documenting illegal operating limousines since 1999. Questioned what happened to the direct line to cabs.

- **Mark Gruberg:** Thanked Taxi Detail for its good work on the limousine issues. Despite the good work, the problem is still ramped and continuous. Wanted the Commission to be aware that Assemblyman Leno introduced legislation at the request of Untied Taxicab Workers. There is now a bill in State Assembly that would

eliminate the exemption that limousine companies have from city regulations. Thanked the Commission for its resolution regarding the limousines.

· **Jim Kennedy:** In reference to the administrative fines. The Taxi Commission has 105 full-time driving requirement investigations, which means 105 permit holders who have not meet the full-time driving requirement, in terms of the amount of years. The fines were supposed to resolve that problem. He hopes the commission treats this as two separate entities: permit holders who are flaunting the law and permit holders who cannot drive.

· **Barry Korengold:** Expressed his gratitude for limousine crackdowns. Suggested the crackdowns should be conducted more regularly. He has observed town cars with no license plates cruising looking for passengers.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Barry: He announced that a major cab company is installing the words "for hire" on the top light in place of the word "taxi" on some of their taxis, to try and get a positive reaction from the public. He states a vast majority of the public does not know what the top light means when it is lit. Recommended working the S.F.P.D.-Taxi Detail to contact other cities on how often limousines and out of town cabs are enforced. Questioned the overturn procedures.

Commissioner Smith: Announced he is working with Jerry Robbins of the Department of Parking and Traffic and Rob Warren, BART, regarding taxi stands at the BART Stations at Glen Park, Balboa, 25th & Mission Streets, 16th & Mission Streets, and 18th & Castro Streets.

Commissioner McGuire: Would like a discussion and possible action on requiring ramp training for London taxi drivers and other safety issues brought up by the disabled community. Requested an update on the corporate permits at Veteran's Cab. Requested a review of the procedures used at the revocation hearing. Would like to know if public comments could be made at the hearings.

Commissioner Gillespie: Requested copies of Assemblyman Leno's limousine legislation to be made available at the next Commission hearing. He asked a follow-up question regarding the Finance Committee. Is Supervisor Sandoval the chair of that committee? Was there any discussion or just to continue? Congratulated all the newly married couples.

PUBLIC COMMENT

· **Peter Witt, Yellow Cab Driver, Native San Franciscan:** Does the police department take action on dispatch complaint cards? There is a uniform standard on taxi top lights. Suggested a drag net at specific locations to catch all the illegal limousines. Announced a possible strike at one of the hotels concerning limousines.

- **Barry Taranto:** There will be a taxi stand next to 400 McAllister Street and to get rid of the right turn only lane. It would be a waste of money and effort putting cab stands where taxi driver are not going to sit and wait. Suggested holding a hearing to determine the best location for taxi stands. Information obtained about limousines needs to be translated to the California Public Utilities Commission about what the TCP numbers are of those drivers who continued to violate the rules.

- **Jim Kennedy:** He explained what happened at the Board of Supervisor's Finance Committee meeting regarding administrative fines being continued at the call of the chair.

7. PUBLIC COMMENT

- **Mark Gruberg:** He heard that Luxor Cab has been charging drivers a surcharge on credit card slips. Drivers are required to pay 10% of the amount on the credit card slip to the cashier at the cab company. Then Supervisor Newsom was the sponsor of legislation that prohibits companies from imposing those charges. DeSoto Cab is discounting 5% on certain vouchers from companies that use taxi services. This 5% comes off the meter amount and the driver's tip. Urged the Commission staff to investigate this matter. These are violations of the law.

- **Stephen Reimers, Yellow Cab:** The taxi industry in San Francisco is a self-supporting industry. All services from the city are paid for by the taxi industry. Permit holders have the financial and legal obligations of ownership, however we do not own our medallions. He questioned is the minimum allowed for credit card payments. He was not for the meter increase.

- **Robert Cesana:** Permit and Drivers Association proceeds we have a Taxi Commission washing its hands of all the administrative penalties, there are not alternative venues. The PDA is in favor of fines but not the level of fines. The PDA is concerned that there is no appeal to the Board of Permit Appeals.

- **Laurie Graham, Yellow Cab:** Appreciated the ramp pick-up logs. She believes there are some companies and permit holders ignoring wheelchair users. Applauded Commissioner McGuire's suggestion regarding training the London taxi drivers, but if the London taxis were ADA approved and accessible, there would be no problem.

- **Peter Witt:** The limousines are back! It's crystal clear...the same players... the same places, Beach Blanket a block from the Northern Station. At the Lyon King... G square and cursing the wharf. And at the same times, especially Friday and Saturday nights...North Beach, South of Market. Without license plates. Temper registrations. The ones that do have numbers do not have lights to read them. They double park all over the place. The same guys. It's easier that shooting ducks in a barrel! You may not be aware I've been documenting the illegal operation of limousine since 1999. If you do not have a copy of my 3 part, 69 page report I completed last June that I sent you. I can furnish you with another. Taxi Detail said they would disappear if we had enough cabs. Hotels and restaurants should "call for cabs not limousines" and let cabs sit in front, not limousines. What ever happened to the direct lines for cabs?

8. HEARING AND POSSIBLE APPROVAL OF AMENDING THE TAXI COMMISSION'S ADVERTISING WRAP PROCEDURES.

Commissioner Gillespie moved this item be continued at the call of the chair. Commissioner Breslin seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

· **Stephen Reimers:** The taxi industry is a self-supporting industry and we think of ourselves as one of the best. Budgets are being cut so the taxi industry fees will go up. The taxi industry money comes from the meters. He states the wraps are pretty and classy and can generate revenue for the taxi industry.

· **Robert Cesana:** He is ashame of charging the general public so much money, but the cost of operating in San Francisco is high. He stated we need cheap cabs. Suggested subsidizing the cost with the wraps advertising.

· **Peter Witt:** The wraps were approved sometime ago with some stipulations attached and the money generated by the ads also had some guidelines. In the wake of "Taxi Reform" after 20 years of neglect, this commission (I think) needs to go to reform school. The London cabs get 7 years of life and are diesel powered. And the lifeline to there existence is advertising "anything" other than taxi service. No pilot program, just a sales pitch from the other side of the pond. What about a driver health plan or a retirement plan for the elderly cabbies? Where they just idle promises? The wraps program fell by the wayside. The duns they generated a-mere-pittance. When you consider we have about 8,000 active drivers, most of whom probably don't have health insurance and do have a families, it's a bad wrap, with no reform in it, is the package...this commission... seems to be delivering. Another "classic" bait and switch "reform".

· **Barry Taranto:** Read a quote from Mayor Newsom, "He preferred not to see advertising wrapped around anything including our Muni Buses." Suggested looking at the London Taxi as an exception and look at much the effect will be of the unintended consequences of opening the floodgates. He questioned how does the cab drivers make money with the wrap cabs?

· **Barry Korengold:** He expressed his dislike of the wraps. He questioned what message are we sending the public? Suggested if he drives a wrap cab that he want to be paid for it. Suggested the passenger will not know which cab they are riding in. In his opinion, the wraps are ugly.

9. HEARING AND DISCUSSION OF THE REMOVAL OF RULE 4.A.10 OF THE TAXICAB COMMISSION'S RULES AND REGULATIONS REQUIRING ALL MEDALLION

HOLDERS DRIVE THEIR OWN MEDALLION NUMBER VEHICLE.

COMMISSIONER SMITH WITHDRAWN HIS REQUEST.

10. HEARING AND DISCUSSION OF THE TAXI COMMISSION PERMIT HOLDER WAITING LIST.

PUBLIC COMMENT

· **Mark Gruberg:** Informed the Commissioners that last year Supervisors Daly and Ma proposed legislation on the applicant waiting list. This legislation was put on hold because Proposition N went on the ballot. He believes that Supervisor Daly is still interested in putting forth the proposed legislation. He explained some of the provisions contained in the legislation.

· **Carl Macmurdo:** One of the big problems in the industry is people receiving medallions who are not bonafied drivers. Suggested stronger restrictions to screen out people who are not bonafied drivers. He recommended a cumulative experience be a requirement. Suggested the Commission come up with a rule of five or seven years that applicants have to be a full-time driver.

· **Jim Kennedy, S.F. Resident, Permit 475:** Prop K c1978 in its original writing gave a preference to SF taxi drivers in the award of K permits during the first two years. All applicants on the list from 1978 through 1988 had no "driving requirement." After 1988, a driving requirement was established. Now 156 shifts required during the previous 12 months prior to award. The 1988 change was done administratively without a need for a Ballot Measure. The waiting list is an "open entry" applicant list with no minimum requirements in placing a persons name on this list. This open entry policy should be changed to a "driver entry" applicant list

requiring the following: (1) current Ca. drivers license. (2) current A-card. (3) completed at least two years as a SF Taxi Driver (Full/Part time). Failure to maintain California drivers license, A-card, or becoming inactive as a SF taxi driver, for extended periods of time, will be cause for removal of name from the waiting list.

Prior to an award applicant, will have had had to have met the driving requirement set forth under the Daly-Ma initiative, or a similar initiative established by the Taxi Commission or Board of Supervisors, whichever

has jurisdiction. This will put an end to persons placing their name on the list and waiting until their name comes to the top of the list before they ever consider driving a SF taxicab.

· **Dan Hinds, President of National Cab:** He believes Proposition K was designed with the intention of placing medallions with career drivers. If that is the case, setting high standards through testing, driving records and shift requirements to receive a Proposition K medallion is appropriated and would benefit the city and taxi

industry. 1) It would help ensure that medallions went to career drivers; 2) it would create a pool of drivers qualified to serve the public; 3) part of the qualification should be an excellent driving record which would promote safety; 4) it would make better drivers of those farther down the list; and 5) giving career drivers a better opportunity to get a medallion which would create driver stability. Proposition K has a lot of problems; this would be a first step in correcting some of those problems.

· **Peter Witt:** Thank you. Better late then never. First, a little history - 13 days after the police commission decided to approve 400 cabs. On August 18, 1998, I got a letter from the Taxi Detail, and I quote "eligible applicants will be notified of the specific procedures and conditions after the department has completed the drafting of such procedures and conditions. A separate mailing to those eligible should be distributed within several weeks from this date." "20 years of neglect" (to the day I don't know; this was before my time). Some three months later, you were conceived. And some three years later and after all the 400 cabs were issued, the S.F.P.D. cord was finally severed. Contrary to your mandate. I believe there have been several versions of the list that have been manipulated over the years. For one reason or another, against the intention of Prop. K, I would recommend: 1) A small fee and automatic entry for new drivers. A purge mechanism non-refundable for "X" non-drivers, should be established. 2) A minimum age of 25 should be required to get on the list. Along with an extended accumulative driving time requirement, before eligible ownership. (effectuating a seniority system). 3) To get rid of the dead wood that already exists on the list (underage and non-drivers). You simply "return their fee" as was done before by the S.F. Taxi Detail in the 80's.

· **Barry Taranto:** He addressed issues regarding the waiting list. Time waivers should be granted for one year only to allow drivers to meet the driving requirements. Quoted Dan Hinds "how do you keep drivers in the industry if they don't have nothing to look forward to." Suggested applicants need a A-card in order to remain on the medallion waiting list and mailing to applicants once a year to ensure correct address. Suggested putting restrictions and requirement for applicants on the waiting list.

· **Robert Cesana:** He corrected a statement made by Jim Kennedy. He stated that the legislation being proposed was proposed by PDA and was originally apart of Proposition N. PDA wants to see active drivers receive medallions. The waiting list contains applicants who have never driven and have no intention of driving, unless a medallion was being offered. Recommended five (5) years of continuous driving out of seven (7) years.

· **Stephen Reimers:** He appreciated the Commission looking into the waiting list. Proposition K was designed to get driver behind the wheel. He like the idea of a knowledge test.

· **Gratchi Makariam, Black & White Checker Cab:** He agrees with most of the previous speakers. Cab companies are required to keep waybills for three (3) years. Suggested increasing the driving requirement for applicants from one (1) year =156 shifts to three (3) years =468 shifts. As it stands now, you do not have to be a active cab driver to be on the waiting list. The industry is not getting qualified cab drivers because of the current rules to get on the waiting list.

· **Barry Korengold:** He suggested shortening the time waivers to make the waiting list move faster. There should be a driving requirement before applicants could put their names on the waiting list. Applicants should show commitment to the taxi industry and incentives should be given for drivers with seniority.

11. ADJOURNMENT

Adjourned the meeting at 9:56 p.m.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN C. NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
JACK BARRY, COMMISSIONER, ext. 3
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MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

NAOMI LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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March 9, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Election of a President and Vice President of the San Francisco Taxi Commission. [ACTION]
4. Approval of the Minutes for the February 24, 2004 Taxicab Commission Meeting. [ACTION]
5. Approval of the Consent Calendar. [ACTION]
6. Staff Report
7. Taxi Commission Announcements and Request to Calendar Items.
8. Public Comment (Please limit public comment to items not on the agenda)
9. Hearing and Possible Approval of Interactive Touch Screen Kiosk. (Continued from 1/27/04) (Memo from Executive Director) [POSSIBLE ACTION]
10. Hearing and Possible Approval of Amending the Taxi Commission's Advertising Wrap Procedures. (Continued from 2/24/04) (Memo from Executive Director) [POSSIBLE ACTION]
11. Hearing and Possible Approval of a Resolution Urging the Board of Supervisors to amend the Municipal Police Code regarding the Taxi Commission Permit Holder Waiting List. (Continued from 2/24/04) (Memo from Executive Director) [POSSIBLE ACTION]
12. Hearing and Possible Approval Televising the Taxi Commission Meetings on SFGTV Once a Month. [ACTION]
13. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Stephen Abernathy	Sentayehu Alebachew	Michael Andegeorgis	Javier Angeles, Jr
Thein Aung	Walid Bahmad	Alex Baleglickman	Craig Blackman
Ahmed Bouzertit	Wilita Bowen	Ronnie Brooks	George Carrea
Geraldo Carvalho	Vieng Chanmany	Jack Chao	Vincent Chaung
Stephen Crum	Flavio Demorais	Aziz Douieb	Joseph Ehrlich
George Feldman	Claudio Fernandes	Joseph Ferrao	Pavel Fomin
Safeer Ghaznavi	Mahmoud Hechmi	Harkishan Heir	Julio Hernandez
Dmitri Isaev	Gary Kappes	Arif Khan	Mikhail Khazan
Beaux Kisielewski	Jason Kwong	David Kyung	Laita Leatutufu
Alexandro Leme	Li Li	Donizete Lima	Kevin Mai
Ahmed Majdoubi	Fahd Mjalli	Alexandre Melgarejo	Gregory Murray
Roy Myatt	Yousef Nasser	Walid Nimri	Sang Nguyen
Tuan Nguyen	Thin Nyein	Evan Oglesby	Myo Oo
Leonardo Ponciano	Anup Pradhan	Thaddeus Reece	Nathian Robinson
Thiago Rodrigues	Joseph Romero	Johnny Santiago	Welder Santos
Munir Shaikh	Nedal Shehadeh	Deusdet Silva, Jr.	Balvinder Singh
Kamaljeet Singh	Chante Smith	Adam Stonehouse	Marcello Souza
Frederick Taing	Israel Taswell	Vy Thuc	Min Thura
Ogbaab Tinsew	Ronald Varni	Carlos Vasquez	Andre Vieira
Albon Wagener	Terence Wong	Marwan Yaser	Daniel Zheng

B. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to

	Medallion Holder	Medallion #	Color Scheme
1.	Samuel Kaplowitz	669	Yellow Cab
2.	Majamal Ohurshed	1081	Yellow Cab
3.	Kenneth Eng	9032	Luxor Cab

C. Recommendation of the Taxi Commission for approval of Taxicab Color Scheme Changes to: (Approval is conditional upon the applicant's notification to the Taxi Commission of the Specific Date of change and that such change be completed within ten (10) days of Commission Approval).

	Medallion Holder	Cab #	Color Scheme
1.	Ali Bastani	769	Luxor Cab to Veterans Cab

Taxicab Commission Agenda
Regular Meeting
February 24, 2004, 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

Special 10-Day Notice of Taxi Commission Rule Change for March 23, 2004 Taxi Commission Meeting

1. Addition to Taxi Commission Rules & Regulations regarding request from taxicab permit applicants on the waiting list to defer consideration of the application on the basis that the applicant does not have the driving experience required.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the March 23, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
None	*None*	*None*

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*James R. Gillespie*	*987*	*DeSoto Cab to Luxor Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late requests will be honored if possible.
Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-7750 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

March 09, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1

PAUL GILLESPIE, VICE PRESIDENT, ext. 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

MICHAEL KWOK, COMMISSIONER, ext. 3

MARY McGUIRE, COMMISSIONER, ext. 5

MIN PAEK, COMMISSIONER, ext. 6

MARTIN SMITH, COMMISSIONER, ext. 7

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9/04

NAOMI LITTLE, EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

March 9, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

ABSENT: None

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Kelly Castagnaro - Taxi Commission; Captain O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson - Taxi Detail

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE ELECTION OF A PRESIDENT AND VICE PRESIDENT OF THE SAN FRANCISCO TAXI COMMISSION

Commissioner Smith moved Arthur M. Jackson for President. Commissioner Paek seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

Commissioner Smith moved Paul Gillespie for Vice President. Commissioner Breslin seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

Barry Taranto: Requested to continued this item until the newly

appointment Commissioners are sworn in. Recommended Paul Gillespie for President because he has done a great job as a Taxi Commissioner.

· **Mark Gruberg:** Echoed Barry Taranto's comments. Recommended Paul Gillespie for President.

· **Peter Witt:** Recommended Jack Barry for President and Mary McGuire for Vice President, because they care more about taxi service and driver issues, such as the medallion list, which in the long run is the taxi industry main engine and the heart of Proposition K and the public intent.

4. APPROVAL OF THE MINUTES FOR THE FEBRUARY 24, 2004 TAXI COMMISSION MEETING

Commissioner Gillespie moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

5. APPROVAL OF THE CONSENT CALENDAR

5A, C Color Scheme Changes and Taxicab Color Scheme Changes

Commissioner Gillespie moved the approval of 5A and 5C of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

5B1, 2 Taxicab Medallion Holder permits

Commissioner Smith moved the approval of 5B 1 and 2 of the Consent Calendar. Commissioner Barry seconded the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith
NOES: None

RECUSED: Gillespie

5B3 Commissioner Gillespie moved the approval of 5B3 of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

· **Peter Witt:** Point of clarification, are the agendas supposed to be posted at the shops so drivers can see them or not? If so, there used to be the Commission's phone number and address listed at the bottom of the page. In addition, I was wondering how does this commission expects to get feed back from the drivers? We have 8,000 drivers and many are new ones as you can see by the list. How do they know what is going on or do you prefer keeping them in the dark? How should they report misdeeds or even know what one is. How about the illegal operation of limousines? This commission is suppose to establish data banks and relay the information to the appropriate parties involved. Also, there is something about deferred driving requirements.

· **George England, Luxor Cab:** He questioned why there are 80 new taxi drivers on the consent calendar. Suggested reducing the meter might encourage the public to use taxi services. Maybe reducing the gates would allow taxi drivers to make money. Suggested making adjustments in the gates in order to have a fair taxi industry for everybody not just medallion holders. This will reduce the taxi driver's turnover rate.

6. STAFF REPORT

Naomi Little, Executive Director: Announced her schedule for Wednesday, March 10, 2004. 1) The Board of Supervisor's Finance and Audit Committee will hear the Administrative Penalties legislation at 12:30 p.m. **2.** The Sunshine Task Force will hear the compliant against the Taxi Commission from Mr. Peter Witt regarding his public comment time at 3:00 p.m. **3.** The Board of Appeals will hear the David Adams, John Arderker and James Neilly cases at 5:00 p.m.

7. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR

ITEMS

Commissioner Smith: Wished Commissioner Breslin a Happy Birthday.

Commissioner Barry: Requested to calendar considering revising the standards for a majority vote by the Commission to overrule the director's recommendation regarding revocation cases. Announced he submitted a courtesy resignation to the Mayor's Office. Therefore, this will be his last Commission hearing since he will no longer be a Taxi Commissioner. He expressed that he enjoyed being on the Commission.

Commissioner McGuire: 1. This is a formal written request to calendar a Taxi Commission discussion and possible approval of a resolution urging the Department of Parking and Traffic to enforce the red, white and commercial loading zones around the downtown hotels and restaurants. There needs to be a more even-handed approach to the method in which parking control officers issue citations for violating the color-curb designations. I am proposing that this commission formally seek more cooperation from DPT administration in monitoring and citing limousines, town cars and airport shuttle vans parked illegally in front of or near entertainment, lodging and tourist venues while waiting for "potential" passengers. Certain parking control officers appear to be targeting taxicabs by issuing drive-away tickets to drivers in the process of picking up and dropping off passengers. In the interest of maintaining and improving already superior taxi service, this commission should take a position regarding the proliferation of state-licensed limousines illegally parked and/or operating illegally, especially during periods of peak demand for transportation. 2. Announced the American Red Cross will be holding a free CPR class on Saturday, March 13, 2004 at various locations. You can register by visiting their website at www.bayarea-redcross.org or by calling the toll free number at (888) 686-3600.

Commissioner Gillespie: He congratulated tonight's medallion recipients. Thanked Commissioner Barry for his service.

Commissioner Paek: Thanked Commissioner Barry. Requested a letter of appreciation for his services as a Commissioners.

Commissioner Breslin: She enjoyed the enthusiasm that Commissioner Barry brought to the Commission. Thanked him for his service.

PUBLIC COMMENT

· **Peter Witt:** He will be starting his 2004 San Francisco Customer Survey soon and hopefully it will be ready by June. He reminded the Commission that over 1,000 cab customers have taken a San Francisco cab more than once, chosen at random. Making copies of the survey is where the real cost comes in. So, if anyone would care to make any donations it costs about $50.00 to make a full copy in color. I like to send a color copy to this commission and one to the Board of Supervisors. About $100.00 in the end after expenses. Due to confidential reasons and the intensive labor, he can only provide to the public a color copy of the basic results after the 7th of June. Again, if anyone wishes to make a donation to cover the cost of a copy, they can send it to, Peter Witt's Customer Survey, in care of this Commission, San Francisco City Hall, Rm. 448. He is sure Director Little will be happy to pass it on

to him.

· **Barry Taranto:** Wished Commissioner Breslin a Happy Birthday. He enjoyed Commissioner Barry and appreciates him taking the opportunity to get to know the taxi industry. Limousines are allowed to park where in the red and white zones around hotels.

· **Mark Gruberg:** Thanked Commissioner Barry for his services on the Commission.

8. PUBLIC COMMENT

· **Tara Housman:** She provided background information on the recent bad press regarding San Francisco having the highest cab rates in the country. She states that San Jose cab rates are higher.

· **Jean Michel Normand:** Questioned the role of the Commission. He wants to improve taxi services. Suggested looking into dispatch services.

· **Eduardo Bonsi, Sound Pollution.org:** He lives on Union and Taylor Streets. He informed the Commissioners of cabs brakes squeaking loudly. He provided his research log that showed a large percentage of the taxis with squeaky brakes are from Yellow Cab Company.

· **Robert Cesana:** He informed the previous speaker that taxi companies use disc brakes that wear out fast, but work. Suggested that advance notice should be given when deleting items from the agenda. The whole idea of getting the London taxis was to have a universal vehicle but the London taxis are not ADA approved. Taxi Detail needs to create another way of recording waybills. Suggested audited waybills during the year.

· **Barry Taranto:** He admired Eduardo Bonsi for monitoring squeaking taxi brakes in his area. 1. On Monday, there will be a hearing on extending the tow away hours on Third Street between Howard and Market Streets. 2. On Friday, Department of Parking and Traffic will meet to discuss eliminating the tow away lanes on Fell Street during commute hours. It is expense to operate a cab in San Francisco. Suggested looking into what the police should be enforcing at San Francisco Airport.

· **Frank Fahn:** He spoke in regards to regulation of taxis in other cities.

· **Jane Bolig:** All cab companies have problems with their brakes. It is refreshing to see members from the public involved. All cab companies are trying their best to put the best equipment on the streets.

· **Peter Witt:** Spoke on Luxor Cab "Best of the Best" sticker. He questioned how did this come about and why. He informed the Commission that Luxor Cab Company has a limousine business. Displayed his customer survey report.

9. HEARING AND POSSIBLE APPROVAL OF INTERACTIVE TOUCH SCREEN KIOSK.

Corey Gottlieb, Global Vision Interactive, Inc.: Gave a presentation on the Interactive Touch Screen Kiosk.

Motion 1 Commissioner Gillespie moved for a continuance until further research could be completed. Commissioner McGuire seconded the motion. Motion failed 5-2

AYES: Gillespie, McGuire **NOES:** Jackson, Barry, Breslin, Paek, Smith

Motion 2 Commissioner Barry moved to approve to set up a one-year pilot program that would allow up to 200 medallions to be installed with the Interactive Touch Screen Kiosk. Commissioner Smith seconded the motion. Motion passes 4-3

AYES: Barry, Breslin, Paek, Smith **NOES:** Jackson, Gillespie, McGuire

PUBLIC COMMENT

· **Henry Kim, Director, San Francisco Taxi Association:** It is good to be back in San Francisco. The San Francisco Taxi Association urges the Commission to approve this as a pilot program. The interactive touch screen will bring wireless technology into taxis, will enhance the taxi experience and will help create conversation between the driver and passenger.

· **Barry Taranto:** Some cab drivers are concerned with the effect of the advertisement and annoyance may have on their ability to drive safely. Suggested a smaller amount of taxi should be used in the pilot program. He questioned who will be responsible for damages, liability and maintenance of the units?

· **Mark Gruberg:** Suggested 10-20 taxis should be used for the pilot program. The sound will be an unwanted commercial intrusion on their workspace.

· **Tara Housman:** Any avenue that can bring credit card capability, GPS, and another possible income stream is a good idea. Suggested that it is vital to have a driver accessible sound off switch.

· **Robert Cesana:** This Commission has a policy of no cellular phones, no long conversations on cellular phone and no loud radios. This Commission looks at issues backwards. The Commission has to decide on a principal, you cannot regulate one thing without regulating the other.

· Jane Bolig: Some of her concerns have been addressed like the sound being adjusted. Suggested all cab companies have the opportunity to participate in the pilot program. How long will the pilot program last. All of the concerns addressed tonight could be stipulated in the pilot program.

· Jean Michel Normand: The duty of a taxi driver in San Francisco is the special relation between the driver and customer. Touch screens will be distract the drivers. Agrees to having a pilot program.

· Francis Wilson: Most taxis have GPS already installed. GPS has all the same information as the touch screens. Cab drivers do not need to have no more distractions.

· Jim Kennedy: The touch screen gives a new meaning to the words "back seat driver." Every taxi should have the opportunity to have credit card swipe. The sound will be distracting to drivers.

· Frank Fahn: In favor. He questioned who is going to pay for damages to the equipment? He hopes the drivers are not held accountable for damages.

· Barry Korengold: Questioned how often the ads be replaced, can the screen not be turned on automatically, does the passenger run their own credit card and can the driver should have control over the volume?

· Peter Witt: Questioned whom does it benefit, who pays the price, and will this irritate the drivers? 276 is 1/5 of the taxi fleet. Isn't it just another marketing device that causes additional inconvenience to the drivers, with no added benefits? Restaurants should like them but will cab drivers? Can you get radio orders? Does San Jose have them, do you put a nickel in them?

· Yale Feder: Agreed with the previous speakers. From a driver's point, the touch screen will be a negative addition.

· Ruach Graffis, United Taxi Workers: She feels that the driver will be charged for this equipment. Cab drivers are high on the list for having stressful occupations. The noise will be very distracting. Suggested that every cab driver that has to drive with a touch screen should receive lower gate fees.

10. HEARING AND POSSIBLE APPROVAL OF AMENDING THE TAXI COMMISSION'S ADVERTISING WRAP PROCEDURES.

President Jackson requested to have this item tabled until the next Commission meeting.

PUBLIC COMMENT

· Joseph Diamond, President of Moving Media: Given the possible

abundance of wrap taxis, he suggested van wrapsbecause of the small numbers. Similar to London taxis in proportion, and they cannot carry top sign advertising due to airport clearance restrictions and therefore do not generate revenue. The rules that are now in place apply for all taxis except for the London taxi. The Commission should also restrict the number of cabs and duration of the wraps.

· **Tara Housman:** Suggested modifications to the taxi wrap rules. 1) Rule 1-should be deleted; 2) Rule 3-should extended the $100/month for every month that the wrap is on; 3) Rule 7-don't understand the logic. 10) Rule 10-what does a half wrap look like.

· **Peter Witt:** Again, who does this benefit and who pays the price? Isn't it just another marketing device that causes additional inconvenience to the drivers, with no added benefits? London taxi receives 8 years life, why do we have to wrap them too? Isn't this an unfair playing field? Companies lose their identity. Drivers have already lost theirs. No matter what the public says your head is in the sand.

· **Robert Cesana:** Recommended a level playing field. The taxi industry has a wrap program that has given priority to London taxis. Would like to see everyone with a London taxi, but only if they could accept paratransit. Recommended wrapping all the vans and taxis.

· **Jean Michel Normand:** The regulation of taxis is about service, not profit. The Taxi Commission's responsibility should be to the taxi industry, not to help sell advertisements. Asked the Commission not to destroy the industry by greed and profit.

· **Frank Fahn:** In favor. He believes everybody, even the small companies and drivers, will benefit.

· **Henry Kim:** He loves this vehicle. It is a purpose-built vehicle designed to be a taxi. The London taxis will be a plus for San Francisco.

· **Barry Korengold:** He is against the wraps. Asked how the drivers will make money from the wraps?

· **Barry Taranto:** Reminded the Commissioners of their comments at the February 24, 2004 meeting: 1) the reason for loosing the wrap rules for the London taxi was to try them on pilot program, to make affordable and bring the novelty to San Francisco; 2) Maybe the advertisement should be a message, maybe a public service announcement. Suggested another form of advertisement for the vans.

· **Jane Bolig:** In favor. When the original rules were adopted, the industry was in a different climate. Recommended expanding the wrap rules for the London taxi.

11. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND THE MUNICIPAL POLICE CODE REGARDING THE TAXI COMMISSION PERMIT HOLDER WAITING LIST.

This item is being continued.

PUBLIC COMMENT

. **Jim Kennedy:** 1121(a)(i) Requisites for submission of application. Taxicab Waiting List. Each

applicants for a taxicab permit must: (1) Be a resident of the United States, of good moral character; (2) Be of the age of 21 years or over; (3) Be subject to any disease, condition, infirmity, or addiction to alcohol or any controlled substance, which might render the applicant unfit for the safe operation of a taxicab or other motor vehicle for hire; (4) Be able to read and write the English language; (5) Be clean in dress and person; (6) Hold a valid California driver's license of a class sufficient for the lawful operation of the motor; and (7) Hold a driver's permit pursuant to Section 1089 of this Article for two years immediately preceding the date of application for a taxicab permit. Many of the above are already included in the San Francisco Taxicab Commission Rules and Regulations. (3) Controlled Substance, (5) Clean in dress and person. Others: (2) Should be a given. Since I do not know of any cab company (insurance) will hire under 21. (4) Be able to read and write the English Language. Don't know how a person can complete the "required" training to get an A Card without this knowledge? The most significant item is item (7) Holding a permit for two (2) years "immediately" preceding the date of application. I'm not sure what Section 1089 covers. I hope it is in reference to "How a person enters their name on "the list"? Question: Does this mean [I hope] that a person must have had [A Card], and have had driven a minimum number of shifts during those two years? Finally, there is no mention of the requirement of keeping the A Card current. I was hoping that a non-renewal of the A Card could be [just] reason for the "removal" of a name from the permit waiting list. The TC purges the A Card list yearly. They should also purge the Applicant waiting list when a person fails to keep A Card current.

. **Jean Michel Normand:** Proposition K has good intention but need to be revisited. The list needs to be clean. Most of the people on the list are not taxi drivers.

. **Peter Witt, native San Franciscan, Yellow Cab Driver:** Thanked Supervisors Daly and Ma for making it possible to bring this item to the table and Commissioner Barry. Suggested a current A-card or 15 years of driving experience before a person can receive a medallion. He does not believe in deferred applications (to addresses driver experience). Two before or purge list yearly.

. **Tara Housman:** Suggested to add moral turpitude in the public's best interest and a sunset on crimes. Did not understand why you must be 21 years old to receive an A-card or to be placed on the waiting list.

. **Robert Cesana:** He represents the Permit and Driver Association on this item. PDA requested Supervisor Daly to put forth the legislation and now the Commission is reacting. PDA tried to put forth legislation for seniority for drivers, so he is tired of PDA being portrayed as an organization that does not help drivers.

. **George England, Luxor Cab:** What is the legal maximum the Commission could require for driving experience before receiving a medallion. He believes the waiting list was intended for working cab drivers.

. **Barry Taranto:** Thanked staff for preparing this report. Suggested the

Commission hold a separate hearing on how to get on and stay on the waiting list. He requested to invite representatives from the offices of Supervisors Daly and Ma to discuss the legislation that is proposed. Requested to continue this item until the next meeting.

· **Jane Bolig:** Suggested standards to require a good driving record and customer complaints. Recommended a knowledge qualification test. The results would be professional drivers.

· **Barry Korengold:** Suggested two years of driving requirement before a name could be place on the waiting list.

· **Ruach Graffis, United Taxi Workers:** Questioned if any crime against property or government that involves fraud or evil intents is consider civil disobedience? She concurs with Tara Housman's statement.

12. HEARING AND POSSIBLE APPROVAL TELEVISING THE TAXI COMMISSION MEETING ON SFGTV ONCE A MONTH.

Commissioner Jackson moved to approve televising the Taxi Commissioner meeting on SFGTV once a month. Commissioner Smith seconded the motion. Motion passes 4-3

AYES: Jackson, Breslin, Paek, Smith **NOES:** Gillespie, Barry, McGuire

PUBLIC COMMENT

· **Tara Housman:** San Francisco has a policy that government should be conducted in the sunshine. SFGTV is the best way to keep the public, seniors, the disabled and night drivers informed on taxi issues. SFGTV is vital.

· **Ruach Graffis:** Agrees with Tara Housman. Televising the meeting is the most vital way of communicating to the taxi industry. Suggested making cuts from somewhere else, but not SFGTV.

· **Barry Korengold:** It is important the meetings are televised so everyone is informed of taxi issues. Disciplinary hearing should not be televised.

· **George England:** Disappointed more of public and cab drivers do not attend the hearings. Televising the hearing is one way to sunshine the meeting. He suggested wrapping more cabs if revenue is needed.

· **Robert Cesana:** Taxi Commission rating has gone down because; revocation cases are no longer heard by the Commission. Urged the Commission to continued to televise the meetings.

·   **Peter Witt:** Televising the meetings will hold the Commission accountable to some degree. The drivers should have input on how their funds are spent. He suggested if the Commission wanted to save money that the survey will be obsolete when the touch screens are installed because you can obtain instant data.

· **Jane Bolig:** She questioned if the funds were being used from general funds or fees that are collected from the industry? If the funds being used to televise the meetings are from the taxi industry, can the driver fees be reduced? If the funds being used are from the general funds then let's make the sacrifice.

13. ADJOURNMENT

Adjourned the meeting at 11:10 p.m.

Respectfully submitted,

Sonya Banks

Commission Secretary

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NAOMI LITTLE, EXECUTIVE DIRECTOR

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

March 23, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the March 9, 2004 Taxicab Commission Meeting. [ACTION]
4. Presentation of Certificate of Appreciation to John "Jack" Barry.
5. Approval of the Consent Calendar. [ACTION]
6. Staff Report
7. Taxi Commission Announcements and Request to Calendar Items.
8. Public Comment (Please limit public comment to items not on the agenda)
9. Hearing and Possible Approval of a Resolution Urging the Board of Supervisors to amend the Municipal Police Code regarding the Taxi Commission Permit Holder Waiting List. (Continued from 2/24/04 and 3/9/04) (Memo from Executive Director) [POSSIBLE ACTION]
10. Hearing and Possible Approval of a Resolution Regarding Request from Taxicab Permit Applicants on the Waiting List to Defer Consideration of the Application on the Basis that the Applicant Does Not Have the Driving Experience Required. (Memo from Executive Director) [POSSIBLE ACTION]
11. Hearing and Discussion on Amendments of the Whole to the Municipal Police Code by Adding Sections 1186, 1187 and 1188 Establishing Administrative Penalties for Violating the Full-time Driving Requirement, The Taxi Commission Rules & Regulations and Establishing Administrative Review of the Decision by the Taxi Commission in Imposing Administrative Penalties. (Memo from Executive Director) [DISCUSSION]
12. Adjournment

CONSENT CALENDAR

A. Recommendation of the Taxi Commission for approval of Taxicab Color Scheme Changes to: (Approval is conditional upon the applicant's notification to the Taxi Commission of the Specific Date of change and that such change be completed within ten (10) days of Commission Approval).

	Medallion Holder	Cab #	Color Scheme
1.	*James R. Gillespie*	*987*	*DeSoto Cab to Luxor Cab*

B. Discussion and Possible Approval of Taxicab Wrap Color Scheme to be effective April 1 thru May 31, 2004. Applicant is Metro Cab Company Medallion Nos. 56, 324, 488, 694, 733, 801, 826, 875, 882 and 1294. The Wrap Color Scheme is Monterey Bay Aquarium.

C. Discussion and Possible Approval of Change of London Taxis Vehicles to be Wrapped. Applicant is Luxor Cab.

	From Cab #	To Cab #	Wrap Color Scheme
1.	120	123	Cingular
2.	1066	136	Cingular
3.	100	109	ING

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the April 13, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
None	*Hong Nguyen*	*None*

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*Azzam R. Ennazer*	*431*	*Crown Cab to Yellow Cab*
2.	*Martin Tai-Jar Mar*	*1130*	*Bay Cab to Big Dog*
3.	*Charles M. Rotter*	*1125*	*Yellow Cab to Luxor Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

March 23, 2004

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

March 23, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:33 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE MARCH 9, 2004 TAXI CAB COMMISSION MEETING.

Commissioner Gillespie moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

PUBLIC COMMENT

· **Peter Witt:** Before approving these minutes commissioners, what assurance do you have that they are complete and accurate? Have you had a change to go over this in detail? I haven't but by your track record of "repeatedly misleading the public about a business that is riddled with grafting and political favoritism. Seriously questions your integrity here! I believe these minutes are corrupt and Naomi Little is a liar and bias towards me by restricting the flow of information that I have provided. For example, I just read January 27th minutes this week, on item #12 she said, I said "Rule 5.A.29 put all the responsibility on the cab drivers", I never said that and where is the 2 minutes and 50 seconds of history that I provided? It's missing? And I thought I provided a copy of that speech for the record.

4. PRESENTATION OF CERTIFICATE OF APPRECIATION TO JOHN "JACK" BARRY.

5. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Gillespie requested to sever item 5B and C of the Consent Calendar.

5A Color Scheme Changes

Commissioner Gillespie moved the approval of 5A of the Consent Calendar. Commissioner Breslin seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

5B Taxicab Wrap Color Scheme

Commissioner Gillespie moved the approval of 5B taxi wrap on medallion numbers 56, 324, 488, 694, 733, 801, 826, 875, 882 and 1294 to Metro Cab Company effective April 1 thru May 31, 2004. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, Smith
NOES: None

ABSENT: Paek
RECUSED: McGuire

5C Change of London Taxis Vehicles to be Wrap

Commissioner Gillespie moved the approval of 5C taxi wrap medallion changes to Luxor Cab Company. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith
NOES: None

ABSENT: Paek

PUBLIC COMMENT

· **Richard Hybels, Owner of Metro Cab:** Requested the Commissioners approval on the Monterey Bay Aquarium taxicab wraps.

6. STAFF REPORT

Naomi Little, Executive Director: On March 24, 2004, the Board of Supervisors Finance and Audit Committee was scheduled to hear the administrative penalties legislation, but it was continued at the call of the chair. Supervisors Daly and Ma introduced an ordinance at the Board of Supervisors level. It recommended a merge of the ordinance and administrative penalties so the Taxi Commission would have one comprehensive taxi legislation packet. On March 24, 2004, the Board of Appeals will hear the Joe Leung case.

PUBLIC COMMENT

· **Jim Kennedy:** Questioned would the administrative penalties and permit application be merged together?

· **Peter Witt:** He believes deferring drivers for a short period of time would be inappropriate. He suggested a 15 years driving requirement should be in effect as a requirement to be a taxi driver in San Francisco.

· **Bruce Oka:** He plans to attend the Board of Appeals meeting regarding Joe Leung. This case will send a message to that the taxi industry will not tolerate paratransit fraud.

7. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar for discussion taxi stands at 16th & Mission and 24th & Mission Streets. Suggested working with Department of Parking

and Traffic on installing taxi stands on both sides of King Street. Taxi drivers are still receiving drive away tickets. Requested to calendar for discussion the procedures from Consumer Assurance regarding the meter inspections. Requested a list of ramp taxis by medallion pick-ups.

Commissioner Breslin: Welcomed Commissioner Michael Kwok. Requested the San Francisco Bike Coalition Transportation Planning meeting flyer be distributed to the industry to encourage taxi driver's participation.

Commissioner Kwok: Requested input from drivers and the riding public on the best locations to install taxi stands. He wanted to know what the possibility of having more taxis equipped with ATM terminal accepting credit and paratransit debt cards.

Commissioner Gillespie: Welcomed Michael Kwok to the Taxi Commission. Requested an update on the status of the taxi driver surveys.

Commissioner McGuire: Welcomed Michael Kwok. Requested from the City Attorney an update on corporate permits at Veteran Cabs.

PUBLIC COMMENT

- **Barry Korengold:** Requested the Commissioners to calendar for discussion their decision to broadcast only half of the Commission meetings. Suggested all Commission meetings should be televised.

- **Peter Witt:** Welcomed Commissioner Kwok. Drivers have difficulty providing input to this Commission. He states the population of San Francisco is declining so there will be no need for new taxis. Encouraged the installing of taxi stands especially in front of restaurants.

- **Barry Taranto:** The previous speaker spoke off topic. Taxi stands will be useless at 16th/Mission and 24th/Mission Streets because there is already bus service available. At the Board of Supervisors Land Use Committee there was a discussion on creating a task force between PCO's, their supervisor, taxi drivers and the industry. He will work with Laurie Graham and Commission staff to assure the ramp medallion pick-up report requested by Commissioner Smith is available. ISCOTT will be discussing at their meeting making tow away zones for any other vehicles beside taxis parked in taxi stands.

8. PUBLIC COMMENT

- **Bruce Oka, Member of the Paratransit Coordinating Council and Chair of the Ramp Taxi Working Group:** Officially welcomed Commissioner Kwok. The disabled community cannot physically attend the meetings, so he encouraged the Commission to rethink its decision to reduce the number of televised meeting.

- **Mark Gruberg:** Welcomed Michael Kwok, he has experience with the Taxi

Industry. Asked the Commission to reconsider their decision to eliminate the number of televised meeting and the approval of installing the interactive touch screens.

· **Jean Michel Normand:** He believes in democracy. Recommended televising all the Commission meetings. Suggested offering benefits will ensure better taxi drivers.

· **Laurie Graham:** Welcomed Commissioner Kwok. She encouraged the Commissioners to attend the paratransit meetings. The Paratransit Council submitted a letter requesting to televise all the Commission meetings.

· **George England:** Welcomed Commissioner Kwok. He discussed three subjects: 1) Yellow top parking meters should be available to taxis when they need to take a break. 2) Suggested lowering the meter, gate and medallion fees. 3) Research the maximum number of years that can be required of an applicant driving experience before receiving their medallion, suggested 15 years.

· **Robert Cesana:** Welcomed Commissioner Kwok. He is ashame of the Commission because after six years the industry still does not have ADA and disability representation. The Commission was created per the Proposition K legislation, and drivers are not represented. Suggested the Commission needs to make a decision regarding the 800 hours.

· **Jim Kennedy:** He recommended Agenda items 9, 10, and 11 be handled separately, suggested that they not be combined into one legislation. UTW has nothing to do with being a union, just petty fueling with PDA. Proposition N is not a retirement plan for medallion holders.

· **Peter Witt:** First, I believe public comment should not be limited to items not on the agenda if you seek public input. In case you didn't know, it was moved up on the agenda so drivers that wanted to comment could go back to work and not have to endure this meeting. By limiting comments means in effect if they wanting address any relevant issue on the agenda they would still have to suffer the inevitable duration of this drawn-out hearings. Since you always put highly charged issues at the end of your agendas. Second, for the record about my surveys, Executive Director Naomi Little assured me that Bruce Schaller looked at them, yet I still have not seen his critique on the surveys.

· **Barry Taranto:** Congratulated Michael Kwok on his appointment. Suggested sending a reminder to drivers of the cab stands locations at SBC Park. Suggested televising Commission meetings, because people is not grand standing. He hopes the taxi industry and Commissioners participate in the CPUC hearing regarding the pre-arrangement rule for limousines. Informed the Commission that he is no longer a member of UTW.

· **Barry Korengold:** Responded to Barry Taranto's comment. He wants to calendar for re-discussion the decision to televise half of the Commission meetings and the Kiosk touch screen.

· **Ruach Graffis, United Taxicab Workers:** She added her voice in welcoming Commissioner Kwok and revisit televising the meetings. Cabs are used by 2/3 the disabled community. Recommended revisiting the Kiosk touch screen.

9. **HEARING AND POSSIBLE APPROVAL OF A RESOLUTION URGING THE BOARD**

OF SUPERVISORS TO AMEND THE MUNICIPAL POLICE CODE REGARDING THE TAXI COMMISSION PERMIT HOLDER WAITING LIST.

Commissioner Gillespie moved to adopt this resolution and ordinance that urges the Board of Supervisors to amend the S.F. Police Code to set the requirement including prior driving experience for taxis and ramp taxis permit applicants with the additional language that the applicant must satisfy any educational program that is required by the taxi commission. Commissioner Smith seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith
NOES: None

ABSENT: Paek

PUBLIC COMMENT

· **Henry Kim, Director, San Francisco Taxi Association:** Welcomed Commissioner Kwok. He believes the taxi industry is unanimous about the waiting list. Proposition K was intended to give the working cab drivers medallions, but it is not working. Medallions are being issued to non-working cab drivers and individuals with other full-time jobs. George England is a career cab driver who should have received a medallion. This draft is long over due but recommended legislation that will address many specific problems.

· **Dan Hinds, President of National Cab:** Echoed Henry Kim. The goals outlined in this legislation are good, but suggested creating higher standards, stronger requirements and make an effort to get medallions into the hands of career cab drivers would make a better taxi industry. Proposition K has real problems that need to be addressed. Suggested a stop to re-issuing medallions until we change the way medallions are issued.

· **Mark Gruberg:** The legislation is a positive step, as it incorporates comments from the public. George England desires a permit for his long years as a taxi driver, but is not on the waiting list. Urged support for the legislation and suggested enhancing the educational requirements for cab drivers and a test. Suggest the Commission should have the latitude to grant a permit for good cause...

· **Robert Gross:** Suggested senioritizing the waiting list. Questioned who are the real cab drivers. There are lots of long-term taxi drivers that are not on the medallion waiting list.

· **George England:** Appreciates Henry Kim and Mark Gruberg for mentioning his name. The taxi industry needs to be a business, and everybody involved needs to benefit, not just medallion holders. Medallions should go to the oldest, established and experienced drivers, not just to people who are first on the list.

· **Tara Housman:** She agreed taxi medallions should be held by experienced

drivers. Suggested a skills test in addition to having driving experience. Cab drivers enjoy the flexibility of this business.

· **Jim Kennedy:** Everybody has their own opinion. If Mr. England had placed his name of the waiting list, he would have received a medallion by now. The legislation is a fascinating idea that is long overdue.

· **Robert Cesana:** Urged the Commissioners to endorse this legislation. The average turnover is 25 permits a year. Commended Naomi Little for drafting legislation. He finds it laughable that UTW wants to lower the requirement for permit applicants but want to fine permit holders.

· **Jean Michel Normand, Career cab driver in San Francisco:** He states that for 20 years, no one understood Proposition K. Proposition K is confusing and it has been abused by the companies. He agreed with Henry Kim. He feels everybody in the industry should be treated equally.

· **Barry Taranto:** Executive Director Little and City Attorney Owen should be applauded for preparing this document that will help drivers. Recommended approving the resolution and submitting the ordinance with changes to the Board of Supervisor and letting them work it out. This is the first and necessary step to stop medallions from being held by people who are not actively involved in the industry. His concerns with the ordinance are 1) #3 the wording; 2) #4 speaking English; 3) #7 should be applauded and the record keeping.

· **Bruce Oka:** Proposition K needs to be fixed and this is a step in the right direction. This resolution, although not perfect, can do nothing but help the disabled community and the seniors who rely heavily on taxi services. Taxi drivers should be experienced drivers before receiving a medallion.

· **Ruach Graffis, UTW:** Everybody in the industry wants to move forward with this legislation. Suggested that the Commission should allow previous driving experience to compensate for part of the driving requirement.

· **Barry Korengold:** In favor of adding a driving requirement before receiving a medallion. He is against requiring a driver to drive full-time for 4/5 years proceedings their name reaching the top of the list. Suggested reducing the length of time waivers.

· **Peter Witt, 16 yr. Yellow Driver, Native San Franciscans:** Proposition K was a well-intended document but it was never defined or enforced. Medallion holders are supposed to serve the public with the intent to drive. To be an experienced taxi driver, he suggested 15 years accumulated driving experience. Suggested medallion holders should drive 5 days a week/10 hours a day like drivers who do not have medallions.

10. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION REGARDING REQUEST FROM TAXICAB PERMIT APPLICANTS ON THE WAITING LIST TO DEFER CONSIDERATION OF THE APPLICATION ON THE BASIS THAT THE APPLICANT DOES NOT HAVE THE DRIVING EXPERIENCE REQUIRED.

This item is being continued until the next hearing.

PUBLIC COMMENT

- **Tara Housman:** Since there will be a driving requirement, limiting deferrals will have the opposite affect. It will make the waiting list move slower. Eliminating the time waiver may encourage fraud.

- **Jim Kennedy:** Suggested cleaning up the waiting list. When the draft ordinance takes effect, there will be no need for deferral because applicants will need to have an A-card. He believes to defer is a fraud and should be eliminated.

- **George England:** Questioned what is the point of a deferral? Do the applicants on the waiting list want a medallion, do they want to cab drivers or do they just want to put off getting a medallion so they can get their check? The industry need full-time, dedicated working cab drivers not just people collecting a paycheck. Suggested getting rid of deferrals and people who are not serious about cab drivers.

- **Jean Michal Normand:** Concurred with previous speakers. People of the waiting list are not cab drivers. Questioned why cab companies buy a permit holder to work at their company, he feels this is bad politics and corruption. Permit holders should be responsible to run their own taxi.

- **Robert Cesana:** He stated that it is a petty that the Commission are debating items 9 and 10 separately. Childrens names are on the waiting list and they can continue to ask for deferral until they are old enough to get a driving license. Suggested computerizing the record keeping system and requiring all cabs to have printed waybills.

- **Barry Taranto:** Applauded the Executive Director for drafting the resolution. Suggested deferrals should be once automatically up to two years, but if the applicant requests a longer deferral, it should be placed on the consent calendar.

- **Robert A. Gross, Luxor 904:** If a driver has 10-15 years driving experience and develops a problem, then it is okay for the driver to request a deferral.

- **Dan Hinds, President of National Cab:** He feels it is appropriate to have deferrals. Asked the Commission to consider combining the deferrals with the limitation of the work bank proposal. Hopes the Commission will consider creating flexibility in the waiting list driving requirement by using the work bank approach.

- **Mark Gruberg:** He feels the proposal has a fair balance. Deferral should be indefinite. Permits should go to career drivers. He believes there will the temptation for drivers to cheat. Echoed Barry Taranto's suggestion that the first deferral should be automatic and the second request should be at the discretion of the Commission.

- **Peter Witt:** Most of the speakers spoke very well. The primary goal is to clean the list. He suggested no deferrals for drivers that do not intend on driving and drivers who drive the minimum requirement. He believes the goal is for higher standards. Suggested purging the list.

11. HEARING AND DISCUSSION ON AMENDMENTS OF THE WHOLE TO THE MUNCIPAL POLICE CODE BY ADDING SECTIONS 1186, 1187 AND 1188 ESTABLISHING ADMINISTRATIVE PENALTIES FOR VIOLATING THE FULL-TIME DRIVING REQUIREMENT, THE TAXI COMMISSION RULES & REGULATIONS AND ESTABLISHING ADMINISTRATIVE REVIEW OF THE DECISION BY THE TAXI COMMISSION IN IMPOSING ADMINISTRATIVE PENALTIES.

This item is being continued.

PUBLIC COMMENT

· **Carl Macmurdo:** Welcomed Commissioner Kwok. He believes there is no real need for section 1186. The Board of Appeals is satisfied with the revocation guidelines. Everyone wants permits to be held by working cab drivers. If section 1186 passes, even with the amendment, it would create a public safety problem by pressuring feeble permitees to drive full-time.

· **Tara Housman:** She states this is the second amendment to the whole the Commission has not voted on. She feels the legislation needs more work.

· **George England:** He feels the driving requirement takes a lot of time. The driving requirement is a part of the original Proposition K. Suggested phasing out the driving requirement and medallion fees and the only people that would have medallions are people who are interested in being cab drivers. Suggested penalties should be applied to taxi companies and/or managers because the companies know who is and is not driving.

· **Jim Kennedy:** He believes this a battle between UTW and PDA. Explained the Neilly's case. He states there are two types of permits, Pre-Prop. K permit and a K permit.

· **Robert Cesana:** He feels the Commission neglected to provide copies the administrative penalties. He questioned why the Executive Director should have more power than anybody at City Hall.

· **Mark Gruberg:** He believes the fines are necessary. He states that PDA requested the fines first and now PDA is saying that fines are not necessary. The amendments were adopted without public testimony. He questioned if that was legal, if so, it is not fair. He states these amendments are a permit holder's wish list. He hopes these amendments are pulled out of the legislation.

· **Stephen Reimer:** He states the supervisors, drivers, companies and the citizens are looking to the Taxi Commission for guidelines. The Board of Appeals is asking for a process.

· **Michael Spain:** Congratulated Supervisors Peskin, Sandoval and McGoldrick for working on this legislation. He states Supervisor McGoldrick suggested the fines

be reduced by half and all three supervisors thought section 1188 gave too much authority to one individual. It is the Board of Supervisors that make laws in San Francisco and the Taxi Commission administers the law.

· **Ruach Graffis, UTW:** Proposition N was defeated by the voters and here it is again. Proposition N was the permit holders' latest effort to not drive. The Proposition N wish list should be eliminated. The industry needs fines so if a permit holder cannot fulfill the driving requirement they shouldn't face revocation or suspension -there should be penalties.

· **Henry Kim, S.F.T.A.:** Most of the major cab companies feel there is a two-class system in San Francisco. Increasing the administrative penalties give more tools to the right type of regulating that is needed to enforce the rules that are presently not being enforced. The only option the Executive Director has right now is suspension or revocation. Establishing administrative penalties would give more options.

12. ADJOURNMENT

Adjourned the meeting at 10:15 p.m.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
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TAXICAB COMMISSION AGENDA
REGULAR MEETING

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April 13, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance

2. Roll Call

3. Approval of the Minutes for the March 23, 2004 Taxicab Commission Meeting. [ACTION]

4. Approval of the Consent Calendar. [ACTION]

5. Staff Report
   a. Presentation of the Results of the Taxi Driver Survey Facilitated During the 2003-2004 Annual A-card Renewal Process. (Summary of Survey Results)
   b. Report on Meters and Top Lights

6. Taxi Commission Announcements and Request to Calendar Items.

7. Public Comment (Please limit public comment to items not on the agenda)

8. Hearing and Possible Approval of a Resolution Regarding Request from Taxicab Permit Applicants on the Waiting List to Defer Consideration of the Application on the Basis that the Applicant Does Not Have the Driving Experience Required. (Memo from Executive Director)(Continued from 3/23/04)[POSSIBLE ACTION]

9. Hearing and Approval of resolution Urging the Board of Supervisors to Amend the Police Code to State a Test, Measured in Cumulative Hours Per Year, for Satisfying the Driving Requirement Imposed on Taxicab and Ramped Taxi Permitholders; to Authorize Modification of that Cumulative Hours Test to Accommodate Disabled Permitholders. (Proposed Ordinance)[POSSIBLE ACTION]

10. Hearing and Approval to Withdraw Existing Resolution Before the Board of Supervisor's Finance and Audits Committee Urging the Board of Supervisors to Amend the Municipal Police Code by Adding Sections 1186, 1187 and 1188 Establishing Administrative Penalties. (Proposed Ordinance)[POSSIBLE ACTION]

11. Hearing and Possible Approval to Combine the Administrative Penalties Resolution to Amend the Municipal Police Code by Adding Sections 1186, 1187, and 1188 with the Taxi Commission's Resolution Urging the Board of Supervisors to Amend the Municipal Police Code §1121, Taxicab Permitholder Waiting List. (Proposed Ordinance)[POSSIBLE ACTION]

12. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxi Detail for approval of Driver Public Passenger Vehicle permits to:

Ayman Ali	Yasser Alsaidi	Munir Amir	Ahmad Babikir
Roseller Baguasan	Khader Bara	James Boldman	George Borghes
Diego Calcidoni	Igor Cardoso	Hashem Cassim	David Caveney
Hari Chand	Pinyo Charoensuk	Augusto Chavez	Odmilson Costa
Monica Dantas	Kleber DaSilva	Ermias Derese	Jose DeSouza
Andre Domingos	James R. Dones	Elizabeth Dore	Ricky Durham
Abubaker Elamin	Mohamed Ezzat	Alcir Farias	Carlos Fidelis
Josef Figueroa	Eldalkachew Getaneh	Fernando Gomes	Refat Hamid
Bradley Hart	Rand Hoffman	Brian Johansen	Clicerio Junior
Mohamed Karabibane	Jimmy Lam	Andy Lee	Alan Lee
Samuel Liu	Kenneth Louie	Waqas Mirza	Hossam Mohareb
Silvano Neto	You Kui Ng	Joshua O'Hara	Marcos Pereira
Oravit Preeyagrysorn	Robert Proud	Raja Rathore	Nadir Rebeiro
Raul Rodriguez	James Rust	Haile Semere	Muhammad-Shoib Shaikh
Chun Fai Shum	Aparecido Soares	Mohammach Sroles	Barry Sullivan
Ayman Sweis	Ashraf Tatai	Leandro Teixeira	Gezahegn Tessema
Vi Lap Truong	Rodrigo Vasconcelos	Kevin White	Htun Win
Chokri Zenati	Simon Zerai		

B. Recommendation of the Police Taxi Detail for approval of Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme
1.	Hong Nguyen	9030	Bay Cab

C. Recommendation of the Taxi Commission for approval of Taxicab Color Scheme Changes to: (Approval is conditional upon the applicant's notification to the Taxi Commission of the Specific Date of change and that such change be completed within ten (10) days of Commission Approval).

	Medallion Holder	Cab #	Color Scheme
1.	Azzam R. Ennazer	431	Crown Cab to Yellow Cab
2.	Martin Tai-Jar Mar	1130	Bay Cab to Big Dog
3.	Charles M. Rotter	1125	Yellow Cab to Luxor Cab

D. Recommendation of the Taxi Commission for approval of a Request to Change the Name of Radio Dispatch Company from SF Taxi Dispatch to Black and White Checker.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the April 27, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
None	*None*	*None*

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*Alan H. Do*	*9009*	*Bay Cab to Yellow Cab*
2.	*Kevin Tou*	*9013*	*Bay Cab to Yellow Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

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The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

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Taxicab Commission

April 13, 1004

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NAOMI LITTLE, EXECUTIVE DIRECTOR

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Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

April 13, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:33 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks - Taxi Commission; Captain Thomas O'Neill, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

- **PLEDGE OF ALLEGIANCE**

- **ROLL CALL - The Roll Call showed a quorum was present.**

- **APPROVAL OF THE MINUTES FOR THE MARCH 23, 2004 TAXI CAB COMMISSION MEETING.**

Commissioner Smith moved the approval of the minutes. Commissioner Kwok seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek

PUBLIC COMMENT

- **Peter Witt:** This commission has proven it does not believe in history or science and shows a pattern of ill-will. Preferring the slippery path down hill by leaving the hard questions at the end of your agendas up to the dump, deft and blind drivers who never show up for various reasons. Drivers are intimidated, example Barry Taranto. The point is these minutes must be accurate. Without any televised coverage the public's perception can easily be manipulated, especially considering Commissioner Paek's argument that there is no need for the meetings to be televised. I don't think ever commentator should have to provide, in writing, a copy of what they said, which apparently can get lost anyway. A simple remedy to restore confidence would be two fold: 1) restore SFGTV tapings. On public comments use the transcripts verbatim. If every driver has to produce their comments in writing, without a

doubt the true facts will be glossed over!

4. APPROVAL OF THE CONSENT CALENDAR

4A, B, C2, D Driver Public Passenger Vehicle, Ramp Taxi Medallion, Color Scheme Changes and Request to change the name of radio dispatch company from SF Taxi Dispatch to Black and White Checker.

Commissioner Smith moved the approval of 4A, B C2 and D of the Consent Calendar. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith
NOES: None

ABSENT: Paek

4C1, 3 Color Scheme Changes

Commissioner Smith moved the approval of 4C1 and 3 of the Consent Calendar. Commissioner Kwok seconded the motion.

AYES: Jackson, Breslin, Kwok, McGuire, Smith
NOES: None

ABSENT: Paek
RECUSED: Gillespie

5. STAFF REPORT

5A Todd Rydstrom and Joe Matranga, Controllers Office: Gave presentation of the results of the taxi driver survey facilitated during the 2003-04 annual A-card renewal process.

5B Joseph Summutt, National Taxi Supply: Gave a brief presentation on the engineering of the meters and top lights.

PUBLIC COMMENT - 5A

- **Robert Cesana, PDA, Yellow Cab:** He states the survey is wonderful but he is worried about the survey question about the age. Suggested a separate survey be prepared in order to find out the age of medallion holders. He asked not to base these figures on medallion holders.
- **Frances Culp, S.F. Dept. of Public Health:** She supports the health coverage expansion.
- **Jim Kennedy:** This is insane, he does not know of any agency that will offer insurance at those rates. Survey is flawed, because it never specified the exact number of A-card holders. None of the figures add up to 100%. He requested from the Taxi Commission the number of permit holders that are over 65 years of age.
- **Barry Taranto:** Thanked the Controller's office for complying the driver survey data. The survey was good but the execution of the survey was flawed because all drivers did not take the survey. The income level could be used to give to the Insurance Commission office about worker's compensation.
- **Peter Witt:** Agreed with Jim Kennedy. There are accurate numbers that could be used instead of estimates. Some numbers do not match up. Emphasized reducing the survey to fewer questions for better results. At least 60% are non-owners and if you collated that with owners you will find a vast different between working drivers and owner non-driver.

PUBLIC COMMENT - 5B

- **John Barry:** He thinks the ideal verbage should be "For Hire" on the top lights instead of the company's name. It is not apparent to 90% of the people is that there is a sufficient to the top light being on or off.
- **Peter Witt:** Veterans has two lights on the side that do not go out and that the major problem. And the other problem could be that the bulbs don't get replaced. This is a concern for the public. Suggested a priority for Taxi Detail should be to do enforcement to ensure the top lights work.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Suggested a representative from DPT to attend a Commission meeting to discuss the in and out tickets that are being issued to drivers while pulling into bus zones. Requested to obtain a list of medallions by numbers to ascertain if the medallion is not picking up of ramp passengers. Requested qualifications to open a specialty cab company for only ramp taxis.

Commissioner Kwok: Requested to calendar: 1) taxi stands/rest area; 2) televising all Commission meetings; 3) Kiosk Touch Screen; 4) Detail comparable health plans for taxi drivers based on income and driver population.

Commissioner Breslin: Wished President Jackson a happy birthday. Announced her new position as Executive Director of the Hotel Council.

Commissioner McGuire: Requested staff assistance in providing an exemption for taxis to enter the North Beach area on Friday and Saturday nights. Requested to

adjourned tonight meetings in memory of Stanley Miller, Yellow Cab driver.

PUBLIC COMMENT

- **Peter Witt:** Thanked Commissioner Kwok for requesting to agenda rest area for drivers. Displayed an article from the Chronicle dated April 8, 2004 regarding parks being air polluted. He explained receiving a moving violation ticket, he asked the officer if limousine drivers were received tickets for double parking in North Beach, he states the officer said "isn't that the taxi commission job"?
- **Barry Taranto:** Thanked Commission McGuire for bringing up the chaos on Broadway Street. Some drivers have already decided not to pick up from North Beach. He asked, is this what the Commission wants drivers to eliminate pick-up in North Beach? Requested help with this issue. Wished President Jackson a happy birthday. Congratulated Commissioner Breslin on her new job. Clarified it is the Muni Inspectors that are giving bus zone tickets.

7. PUBLIC COMMENT

- **Nathan Dwiri:** Welcomed Commissioner Kwok. Shared has concerns about the London taxis. The London taxis have a restrictive contract that states the London taxis cannot be resold without permission.
- **Stephen Reimers, Yellow Cab:** Proposition K needs revision. Suggested changing the way medallions are issued. Suggested a knowledge test and income generating medallions that are not tied to individual but tied into companies that can help other companies obtain technology and expenses to improve services.
- **Jim Gillespie, Luxor Cab:** Informed the Commission on a driver who was assaulted on March 20th. When the Police arrived it was wrote up as a fight/argument and no charges pressed. However, charges have been filed with the District Attorney against the passenger involved in this case.
- **Massdjedi Ahmad, Luxor Cab:** He has been driving a taxi for five years. He explained the occurrence that lead to the assault against him.
- **Robert Cesana, Yellow Cab, PDA:** Questioned is this the report the Commission have been basing the 800 hours? He states the reports are disturbed properly. Cautioned the Commission about passing legislation without collecting data.
- **Barry Taranto:** He shared a letter about his stressful experience at the W hotels. He states hotel believes that they can use the taxi stands and white zones for whatever they want. Curb space is not for hotels to dictate only the city. The airport police have been harassing cab drivers whether than looking at solicitation by limousine drivers.
- **Jim Kennedy:** Showed a email that was sent to Executive Director Little requesting a list of all drivers by age. Discussed the results of the taxi survey.
- **Peter Witt:** He displayed and discussed his recent survey. He read an article from the San Jose Mercury.

8. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION REGARDING REQUEST FROM TAXICAB PERMIT APPLICANTS ON THE WAITING LIST TO DEFER CONSIDERATION OF THE APPLLICATION ON THE BASIS THAT THE APPLICANT DOES

NOT HAVE THE DRIVING EXPERIENCE REQUIRED.

Commissioner McGuire moved the approval with the following amendments on #1 applicants are allowed one request to defer consideration; #2 up to one year; #3 correct typo by adding (is). Commissioner Gillespie seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith
NOES: None
ABSENT:
Paek **RECUSED:**

PUBLIC COMMENT

- **Peter Witt:** After due consideration, I do not think any deferring should be given whatsoever to any applicant on the waiting list if his/her name comes up and he/she has not met the measly six month driving requirement after being on the list for 10, 15, or 20 years. Which, by the way, is the only driving requirement needed currently? I don't think they deserve one period (the privilege and right of ownership for a S.F. taxi medallion). No "ifs" "ands" or "buts" about it. By continuing to allow these deferrals, I believe this severally undermines the intention of Proposition K, the hard working drivers (that has been working and waiting a long-time) and provides a disserves to the public's best interest (limiting knowledgeable drivers). Absentee ownership does not promote good service and does not further the interest of the industry. In fact, it promotes the undercutting service to the public.
- **Jim Kennedy:** Displayed a waiting list from September 2001. Showed examples of the deferrals process from the applicants on the waiting who have requested deferrals for up to five years.
- **Robert Cesana:** He stated this is the poison pill. Suggested one-year deferrals to help clean up the waiting list.
- **George England, Luxor Cab:** He believes the root of this is the flaw in Proposition K which allows anybody to get on the waiting list with no experience. Suggested getting rid of non-drivers from the list.
- **Tara Housman:** In favor of a having long-term driving requirement, but it does not take into account drivers who are three quarters drivers. Urged the Commission to re-examine the original legislation.
- **Barry Taranto:** Thanked Executive Director Little for bringing this resolution for action. Applicant must have a valid reason for requesting second or third deferrals, but must have the Commission approval. Please approve resolution.
- **Joseph Fleischman:** Receiving a medallion should not be made easy for the applicant. He believes this resolution will make it easy to receive a medallion. Agreed with George England in that Proposition K is flawed. He believes the waiting list should be for working drivers.
- **Murai, Yellow Cab:** Recommended zero tolerance. She states instead of being rewarded for being a career driver she felt intimidated and harassed. Suggested making it harder to get a medallion, creating more value and some senority in order to make the industry better. Suggested approving legislation by Daly and Ma.
- **Mark Gruberg:** He states there is a certain amount of confusion because of legislation by Daly and Ma. Suggested one deferral should be sufficient. He suggested continuing this item until after the Daly/Ma legislation is resolved.

9. HEARING AND APPROVAL OF A RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND THE POLICE CODE TO STATE A TEST, NEASURED IN CUMULATIVE HOURS PER YEAR, FOR SATISFYING THE DRIVING REQUIREMENT IMPOSED ON TAXICAB AND RAMPED TAXI PERMITHOLDERS; TO AUTHORIZE MODIFICATION OF THAT CUMULATIVE HOURS TEST TO ACCOMMODATE DISABLED PERMITHOLDERS.

Commissioner Breslin requested to continue this item until after further discussion. Commissioner Kwok seconded the motion. Motion passes 5-0

AYES: Jackson, Breslin, Kwok, McGuire, Smith **NOES:** None
ABSENT: Gillespie, Paek

PUBLIC COMMENT

- **Brooks Dyer:** Three categories for post K permit holders: 1) The drivers who have to drive 40-60 hours to support their families; 2) The drivers who are old and can only drive 4 hour shifts; 3) The drivers for whatever reason only need to drive the minimum driving standard.
- **Tara Housman:** She addressed items of substance of the bill and then concept. Suggested 700 hours instead of the 1040 hours. Paragraph II on page 9 needs re-working and clarification and in paragraph III, the accommodation is no accommodation at all. Suggested not to combine with the legislation in item 11.
- **Joseph Fleischman:** He read from a court ruling regarding the driving requirement. He states that City Attorney Owen said that 800 hours was legal, but on April 5, 1999, he reverse his opinion and stopped the Taxi Commission from passing the 800 hours. Mr. Owen now states that 800 hours requirement cannot be legal if it is annually based.
- **Mark Gruberg:** Urged the Commission to stay with the 1040 hours as stated in the legislation. The driving requirements are very lenient. By changing to an hourly requirement you would be requiring drivers to come in two days a week under the 1040 hours. He states it would allow for more flexibility.
- **Murai:** Suggested everyone who drives put their name on the waiting list, not everyone did so. Suggested after 20 years of being a career driver at some point the driving requirement has been fulfilled.
- **David Kiley, Luxor 840:** When he received his medallion, the driving requirement was hourly then it was changed to shifts. He believes it is a burden on the dispatcher and the fleet to do shifts and unfair to the public. Urged the Commission to go with the 800 hourly standard.
- **Jim Kennedy:** Agreed with Mark Gruberg. He states all you are doing is changing the 156 shifts to 104 shifts on the hourly. Suggested tighten up the requirements to get on the waiting list.
- **George England:** The industry already has a driving requirement but we are trying to make improvements. He states that people who hold medallions believe it is a pension plan and would rather not drive at all. Suggested phasing out the medallion fee, eliminate the driving requirement and only people who are serious professional drivers will be in this industry. The list is flawed we need to figure out a way to start giving medallions to people based on seniority and badge numbers.
- **Robert Cesana:** He states for eighteen years the industry had a 800 hours standard. The 1040 is a bogus issue. He recommends going with the 800 hours standard.

- **Barry Taranto:** He questioned where the 800 hours fall in. He stated 1040 is half the year, which makes sense. Recommended supporting the proposal. He questioned who determines who is disabled and what type of disability qualifies for 624 hours?
- **Henry Kim:** He stated this issues re-enforce how the industry is structurally flawed. He believe Jane Bolig's work bank proposal was a good idea. Urged the Commission not to make a decision on something as important as this issue. Suggested looking back at some of the creative ideas that give credit to drivers that have actually worked shifts.

10. HEARING AND APPROVAL TO WITHDRAW EXISTING RESOLUTION BEFORE THE BOARD OF SUPERVISOR'S FINANCE AND AUDITS COMMITTEE URGING THE BOARD OF SUPERVISRS TO AMEND THE MUNICIPAL POLICE CODE BY ADDING SECTIONS 1186, 1187 AND 1188 ESTABLISHING ADMINISTRATIVE PENALTIES.

Commissioner Smith moved to withdraw the existing resolution. Commissioner Breslin seconded the motion.

AYES: Jackson, Breslin, Kwok, McGuire, Smith **NOES:** None
ABSENT: Gillespie, Paek

PUBLIC COMMENT

- **Barry Taranto:** He is against the administrative penalties unless the penalties are applied equally to everybody. He states there are number of medallion holders at a certain cab companies, who are keeping medallions out of the hands of long-time drivers. He states it is too arbitrary.
- **Jim Kennedy:** He states Supervisor Sandoval's proposal was withdrawn and now you have the Daly/Ma proposal. He states the only difference in the proposal is the exemption for the person over 65 who have driven 25 years.

11. HEARING AND POSSIBLE APPROVAL TO COMBINE THE ADMINISTRATIVE PENALTIES RESOLUTION TO AMEND THE MUNICIPAL POLICE CODEE BY ADDING SECTIONS 1186, 1187, AND 1188 WITH THE TAXI COMMISSION'S RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND THE MUNICIPAL POLICE CODE 1121, TAXICAB PERMITHOLDER WAITING LIST.

Commissioner Breslin moved the approval with the following changes. 1) On page 1 - Instead of adopted by the Taxi Commission, change to adopted by the Board of Supervisors; and 2) Permit holder have the right to a translator and representation at the cost of the permit holder and other relevant information. Commissioner Smith seconded the motion. Motion passes 4-1

AYES: Jackson, Breslin, Kwok, Smith **NOES:** McGuire
ABSENT: Gillespie, Paek

PUBLIC COMMENT

- **Tara Housman:** Happy the resolutions will be considered separately. 1186 on page 1 in her opinion is a narrowing of the driving requirement. Page 3-line 21 suggested sending certified mail or hand delivered. 1188 paragraph A

suggested date of receipt for both. Page 4 - paragraph B in addition to the hearing officer there should be the opportunity for outside arbitrator. Page 4 - line 14C who will have excess to the written information?

- **Murai:** Agreed with Jim Kennedy. She believes the driving requirement should be 65 and 20 years or 60 and 25 years. Applauded and congratulated Commissioner Breslin on her new position. Agrees that tying the disability to a number of hours is bad wording.
- **Robert Cesana:** He agrees with the fines but is worried about the process. This city is unable to come up with proof of driving hours and driving records. What is not clear in this legislation is "other subpoena power".
- **Mark Gruberg:** Supports the new version of the administrative penalties. He believes the penalty should be a flat $200.00 for all violators. The decision of the director in the case where the director and permit holder have agreed should not be final but should still come before the Commission. The person subject to the hearing should be notified that they have a right to a representative and a translator.
- **Joseph Fleischman:** Questioned if a driver is fined and does not pay the fined and the permit is suspended or revoked then at the Board of Appeals levels what type of testimony is admissible? It is not clear in this legislation. The reason for the fine should be clarified and discussed at the Board of Appeals. He believes 150% is too harsh.
- **George England:** He states people who have medallions are receiving lots of money, and that this is not right. People that have pre K medallions paid money for them and have some rights. Suggested putting a cap on medallion fees and phased them out as quickly as possible.
- **Ruach Graffis:** She suggested amending section 1121. She states when assigning the amount of a fine that someone get for not doing the job they are required to do "you do not put the fox in charge of the hen house".

12. ADJOURNMENT

Adjourned at 10:25 p.m. in the memory of Stanley Miller.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
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NAOMI LITTLE, EXECUTIVE DIRECTOR

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

April 27, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

3

27/04

04-27-04P02:41 RCVD

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the April 13, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Possible Approval of a Resolution Urging the Board of Supervisors to Amend the Municipal Police Code, to State a Test, Measured in Cumulative Hours Per Year, for Satisfying the Driving Requirement Imposed on Taxicab and Ramped Taxi Permitholders; to Authorize Modification of that Cumulative Hours Test to Accommodate Disabled Permitholders. The Taxi Commission to Decide the Appropriate Number of Hours as Part of Approving the Ordinance. (Proposed Ordinance)(Continued from 4/13/04)[POSSIBLE ACTION]
9. Hearing and Possible Approval of a Resolution Urging the Board of Supervisors to Amend the Municipal Police Code by Amending Section 1089, to Change the Minimum Age for Obtaining a Taxi Driver Permit from 21 Years to 18 Years, and by Amending Sections 1121 and 1148.1, to Set Requirements, Including Prior Driving Experience, for Taxi and Ramped Taxi Permit Applicants. The Taxi Commission to Determine the Appropriate Number of Hours as Part of Approving the Ordinance. (Proposed Ordinance)[POSSIBLE ACTION]
10. Hearing and Possible Approval of a Resolution Urging the Board of Supervisors to Amend the Municipal Police Code by Adding Sections 1186, 1187, and 1188, to Establish Administrative Penalties and Procedures for Violations of the Full-Time Driving Requirement and for Violations of the Taxi Commission's Rules and Regulations. The Taxi Commission to Determine the Appropriate Dollar Amount Per Driving Hour Missed. (Proposed Ordinance)[POSSIBLE ACTION]
11. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxi Detail for approval of Driver Public Passenger Vehicle permits to:

Ayenew Adem	Jose Almeida, Jr.	Tina Anderson	Euler Araujo
Solomon Assefew	Issa Azrai	Reda Bakhouya	Montasir Barakat
David Barmish	Andre Batista	Carlos Bellopernia	Roberto Campos
Thong Cao	Gerson Silva	Rafael Oliveira	Alok Dutt
Jorge Garcia	Modesto Garcia	Israel Hernandez	Nancy Kharsa
Alan Knisely	Joseph Lau	Alan Leung	Albert Li
Yu Liu	David McCoy	Mario Mew	Armando Montillero
Cuong Nguyen	Troy Nicholson, Sr.	Kamel Omri	Safdar Panhwar
Vlad Polyachenko	David Ramirez	Guilherme Rangel	Hayat Saeed
Jose Sanchezarteaga	Muhammad Sheraz	Baljit Singh	Jeet Singh
Vikram Singh	Wai Siu	Trevor Swanson	Tai Thai
Xue Wang	William Winburn	Singh Yonjan	Mohamed Yousef
Yuval Zaruches	Omar Zuniga		

B. Recommendation of the Taxi Commission for approval of Taxicab Color Scheme Changes to: (Approval is conditional upon the applicant's notification to the Taxi Commission of the Specific Date of change and that such change be completed within ten (10) days of Commission Approval).

	Medallion Holder	Cab #	Color Scheme
1.	Alan H. Do	9009	Bay Cab to Yellow Cab
2.	Kevin Tou	9013	Bay Cab to Yellow Cab

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the May 11, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
Seifu Daba	*None*	*None*
Michael Hair		

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*Kin Chung Ching*	*1009*	*Regents Cab to Bay Cab*
2.	*Ping Chiu*	*245*	*DeSoto Cab to Yellow Cab*
3.	*Danny Phung*	*967*	*Luxor Cab to Yellow Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late requests will be honored if possible.
Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-7750 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

April 27, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1

PAUL GILLESPIE, VICE PRESIDENT, ext. 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

MICHAEL KWOK, COMMISSIONER, ext. 3

MARY McGUIRE, COMMISSIONER, ext. 5

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Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

April 27, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Paek; Smith

ABSENT:

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:33 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Kelly Castagnaro - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

- PLEDGE OF ALLEGIANCE

- ROLL CALL - The Roll Call showed a quorum was present.

- APPROVAL OF THE MINUTES FOR THE APRIL 13, 2004 TAXI CAB COMMISSION MEETING.

Commissioner Smith moved the approval of the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, McGuire, Smith NOES: None

ABSENT: Breslin, Kwok, Paek

4. APPROVAL OF THE CONSENT CALENDAR

4A Driver Public Passenger Vehicle Permits

Commissioner Smith moved the approval of 4A of the consent calendar. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, McGuire, Smith NOES: None

ABSENT: Breslin, Kwok, Paek

4B Taxicab Color Scheme Changes

Commissioner Smith moved the approval of 4B1 and 2 of the consent calendar. Commissioner McGuire seconded the motion.

AYES: Jackson, McGuire, Paek, Smith **NOES:** None

ABSENT: Breslin, Kwok **RECUSED:** Gillespie

5. STAFF REPORT

THERE WAS NO STAFF REPORT.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Gillespie: Asked if the Taxi Commission sent legislation for the meeting held in Sacramento on April 28, 2004 regarding the limousine legislation. Requested for discussion a newly released taxi technology.

Commissioner McGuire: Requested to calendar a status report on Veteran Corporate Permits.

PUBLIC COMMENT

- **Mark Gruberg:** Gave a brief report on the limousine legislation AB2591 which is pending at the state assembly. He invited all drivers to attend the meeting at 1:30 at the State Capital in Sacramento, room 126, at 1:30 p.m. The legislation would allow cities and counties to regulate the limousine industry.

7. PUBLIC COMMENT

- **Hansu Kim:** Follow-up on Mark Gruberg's comments. S.F. Taxi Association supports the limousine legislation. It has been wonderful working with Mark Gruberg, UTW and SFTA on a common goal, and hopes it continues. The existing ramp taxi program is trouble. Suggested everyone involved in the taxi system to rethink, re-evaluate and reassess the ramp taxi program for better accountability.
- **Robert Cesana, PDA, Yellow Cab:** He requested resolving the taxi script issue and asked the Commission to investigate before starting a new system. He wanted to know what the law was for parked taxis regarding access to the airport terminal. Asked if the Commission could have a discussion about taxis picking up passengers while double-parked.
- **Barry Taranto:** He opposed the Commission not televising its meetings. Requested that the Commission continue the items. He protested the two minute limit for public comments. Informed the Commission as part of the airport inspection, transponders are being installed on taxis. He met with the

Police Department at the airport regarding officers harassing taxi drivers. He explained the problems at the Hyatt Regency. Asked to speak with the Commissioners individually regarding a medallion applicant.

- **Jim Kennedy:** Informed the Commission the taxi stands at SBC Park are in the wrong location. The Commission staff is working on his request regarding the permit waiting list.
- **Barry Korengold:** He opposed not televising all the Commission meetings.
- **Dominic Rodriquez, Luxor Cab:** He states the problem with the taxi industry is the drivers are not united. To improve the industry the main business should be convention centers. Suggested installing cab stands at Moscone Center.

8. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND THE MUNICIPAL POLICE CODE, TO STATE A TEST, MEASURED IN CUMULATIVE HOURS PER YEAR, FOR SATISFYING THE DRIVING REQUIREMETN IMPOSED ON TAXICAB AND RAMPED TAXI PERMITHOLDERS; TO AUTHORIZE MODIFICATION OF THAT CUMULATIVE HOURS TEST TO ACCOMMODATE DISABLED PERMIT HOLDERS. THE TAXI COMMISSION TO DECIDE THE APPROPRIATE NUMBER OF HOURS AS PAST OF APPROVING THE ORDINANCE.

MOTION 1 Commissioner Smith moved the approval to defined the Full-Time Driving Requirement for driving at least four hours during any 24-hour period on at least 75 percent of the business day during the calendar year or for at least 800 hours during the calendar year. Commissioner Breslin seconded the motion. Motion passes 5-1

AYES: Gillespie, Breslin, McGuire, Paek, Smith **NOES:** Kwok
ABSENT: Jackson

MOTION 2 Commissioner Smith moved the approval as follows: a permittee who, because of disability as defined under State law, is unable to qualify as a full-time driver as defined in Section 1076(o)(ii), may be granted approval to drive the full number of hours during the calendar year that his or her disability will allow, provided that the number of hours may be imposed as part of a reasonable modification of the eligibility requirement under state or federal law. Commissioner Breslin seconded the motion. Motion passes 4-2

AYES: Breslin, Kwok, Paek, Smith **NOES:** Gillespie, McGuire

ABSENT: Jackson

PUBLIC COMMENT

- **Blake Derby:** He asked the Commission to extend compassion and respect for elderly drivers. No medallion holder gives up their Friday or Saturday shifts.
- **Robert Cesana:** Opposed two minutes for public comment. Suggested not postponing this legislation. It was said at the Board of Supervisors Finance Committee meeting that the Commission could not put a minimum number of hours for disabled drivers to drive. Suggested approving the 800 hour driving requirement.
- **Olivo Dallagiacoma, DeSoto Cab:** In favor of approving the 800 hours driving requirement.
- **Barry Taranto:** He is speaking from the public/passenger perspective. By reducing the requirement to 800 hours, which is equal to 80 shifts, the

Commission will be putting more experienced drivers on the streets. Medallion holders are the experienced drivers. He feels the 1040 hours is fair.

- **Karen Horning:** She urged the Commission to oppose the driving amendment. The intention of Proposition K was to keep the experienced drivers on the road. She stated that permit holders want the "benefits" without working.
- **Hansu Kim, S.F.T.A.:** Urged the Commission to approve the 800-hour standard as an alternative. He stated the 800-hour standard is appropriate and will allow the flexibility to drivers.
- **Mark Gruberg:** He has a problem with the hourly standard. The hourly standard may create potential fraud and will be difficult to enforce. Suggested 1040 or 1000 hours for the driving standard.
- **Joseph Fleischman:** He explained the history of the hourly standards. The Mayor's Taxi Task Force recommends 800 hour standard, as it allowed permit holders flexibility. Urged the Commission to support the 800-hour standard.
- **Jim Gillespie, S.F.T.A., Luxor Cab:** He states many permit holders are conscientious. In 1998, the Taxi Task Force recommended the 800 hour standard. He believes the 800 hour requirement would create an even playing field and allow flexibility.
- **George England, Luxor Cab:** He questioned why permit holders are allowed to drive 624 hours? Suggested eliminating the permit fee. He stated the permit is not a pension plan, it is a business license. Suggested finding new ways to generate revenue for the taxi industry.
- **Berhane Assefa:** He supports the 800 hours. The 800 hours is good for the elderly and disabled drivers. In 1998, as a member of the Taxi Task Force, he opposed the 800 hours, but now he understands.
- **Dominic Rodrigues, Luxor Cab:** Explained his personal driving situation. In favor of the 800-hour standard.
- **Jim Kennedy:** He is baffled about the standard. He believes a driver who has driven more than 20 years and drivers more than 65 years old should be considered the same as a pre-Proposition K permit.
- **Rist Oppenheimers:** In favor of the 800 hours. The problems with the industry is: 1) a number of people have received medallions who did not deserve them; 2) a lot of people did not sign up for a medallion - no seniority system; 3) economics - drivers are not earning the incomes proportionate to the cost of living.
- **Norma L. Geer, Yellow Cab:** In favor of 800 hourly driving requirement.
- **Carl Macmurdo:** About seven years ago the Taxi Task Force recommended an 800-hour standard. Asked the Commission to respect the judgment of the Task Force.
- **Ruach Graffis, UTW:** For 19 years the Taxi Detail did not enforce the driving requirement. Permit holders got used to collecting money without doing anything in the industry. She suggested 1000 hours is a deal, fewer hours would be a steal. Urged the Commission to support 1000 hours.
- **Anne McVeigh:** The majority of permit holders are in compliance. In favor of 800 hour and the flexibility of 156 shifts.
- **Sajid Malik:** He never applied to have his name on the medallion waiting list. In favor of the 800-hours standard.

8. HEARING AND APPROVAL OF A RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND THE MUNICIPAL POLICE CODE BY AMENDING SECTION 1089, TO CHANGE THE MINIMUM AGE FOR OBTAINING A TAXI DRIVER PERMIT FROM 21 YEARS TO 18 YEARS, AND BY AMENDING SECTIONS 1121 AND 1148.1, TO SET REQUIREMENTS, INCLUDING PRIOR DRIVING EXPERIENCE, FOR TAXI AND RAMPED TAXI PERMIT APPLICANTS. THE TAXI COMMISSION TO DETERMINE THE APPROPRIATE NUMBER OF HOURS AS PART OF APPROVING THE ORDINANCE.

MOTION 1 Commissioner Gillespie moved to approve the amendments as follows: The Commission may upon a hearing substitute the equivalent amount of prior full-time driving experience for the experience required in sub-section (b)(i) to (vi) of this section, where a applicant has been unjustly denied employment in the taxi industry through no fault of his/her own and despite his/her efforts to obtain such employment. The applicant was unable to comply with the driving requirement owing to an illness or injury. Any such determination shall require a two-thirds vote. Commissioner Kwok seconded the motion. Motion fails 4-2

AYES: Gillespie, Kwok
NOES: Breslin, McGuire, Paek, Smith
ABSENT: Jackson

MOTION 2 Commissioner Breslin moved the approval with the following technical amendment to be inserted on pg. 6, line 12: The applicant must have been a full-time driver, as defined in Section 1076(o), during calendar year 2004 or the twelve months immediately proceeding the hearing on the application. Commissioner Kwok seconded the motion. Motion passes 6-0

AYES: Gillespie, Breslin, Kwok, McGuire, Paek, Smith **NOES:** None
ABSENT: Jackson

MOTION 3 Commissioner Smith moved the approval of the ordinance as follows: on pg. 2, line 7 the applicants must be of the age of 21 years or older. On pg. 4, line 24 to state 21 years or older. Commissioner McGuire seconded the motion. Motion passes 4-2

AYES: Gillespie, Kwok, McGuire, Smith **NOES:** Breslin, Paek
ABSENT: Jackson

MOTION 4 Commissioner Kwok moved the approval on pg. 13, line 10 to state 400 hours during the 6 months immediately preceding the Commission's hearing on the application. Commissioner McGuire seconded the motion.

Motion passes 6-0

AYES: Gillespie, Breslin, Kwok, McGuire, Paek, Smith **NOES:** None
ABSENT: Jackson

MOTION 5 Commissioner Paek moved the approval of the entire amended legislation. Commissioner Kwok seconded the motion. Motion passes 6-0

AYES: Gillespie, Breslin, Kwok, McGuire, Paek, Smith
NOES: None
ABSENT: Jackson

PUBLIC COMMENT

- **Jim Kennedy:** He believes this item was resolved at the last Commission and Finance meeting. He discussed what happened at the Finance Committee meeting regarding the proposed 624 hours disabled driving requirement.
- **George England, Luxor Cab:** He questioned why reduce the driving age? Suggested lowering the gate fees. Suggested not subsidizing medallion holders. Medallions should be issued by seniority.
- **Mark Gruberg:** Distributed a revised alternative proposed amendment to Police Code Sec. 1121. Suggested passing this legislation.
- **Karen Horning:** She stated that there is no amendment stating that anyone applying for a ramp medallion should meet a certain number of required ramp order pick-ups.
- **Joseph Fleischman:** He personally supports UTW submission. Agrees with George England's comment regarding an applicant waiting list based on seniority. He believes that Chris Daly requested reducing the age limit from 21 to 18 years of age.
- **Hansu Kim, S.F.T.A.:** He had the underwriting guidelines from two major insurance carriers that state 23 is the minimum age the insurance companies would consider insuring. Static shows that drivers who cause most accidents are 25 years old and younger.
- **Jim Gillespie:** Cab companies need to follow the insurance companies' guidelines and not hire drivers under the age of 23 or they might cancel their policies.
- **Blake Derby:** He believes people who are 18 years old do not have their heads screwed on well enough to drive a cab.
- **Barry Taranto:** He believes people who are 18 years old do not have enough driving experience. He believes the insurance rates will go up if 18 years older are allowed to drive taxis.
- **Robert Cesana:** He believes Chris Daly put the age at 18 because of the Commission's requirement that in order to get on the waiting list, you must have a A-card. Mr. Daly wants to see young people receive their medallions.
- **Olivo Dallagiacoma:** Most Californians obtained their driving licenses when they are between the ages of 15 and 18. He described his personal experience as a young driver. Suggested not lowering the driving age.
- **Norma L. Geer, Yellow Cab:** There is a lot to learn about driving. Suggested maybe advanced driver education, defensive driving techniques, and/or videos in order to reduce accidents.
- **Ruach Graffis, UTW:** She states that anyone who is willing to speak for the rights of drivers put their jobs in jeopardy. Asked the Commission to include and support the amendment submitted by UTW.

10. HEARING AND APPROVAL OF A RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND THE MUNICPAL POLICE CODE BY ADDING SECTIONS 1186, 1187 AND 1188, TO ESTABLISH ADMINISTRATIVE PENALTIES AND PROCEDURES FOR VIOLATIONS OF THE FULL-TIME DRIVING REQUIREMENT AND FOR VIOLATIONS OF THE TAXI COMMISSION'S RULES AND REGULATIONS. THE TAXI COMMISSION TO DETERMINE THE APPROPRIATE DOLLAR AMOUNT PER DRIVING HOUR MISSED.

MOTION 1 Commissioner Kwok moved the approval as follows: the Commission may impose administrative penalties not to exceed $140 for each day or

$30 for each hour the permit holder fails to drive short of the applicable standard for compliance. Commissioner Smith seconded the motion. Motion passes 6-0

AYES: Gillespie, Breslin, Kwok, McGuire, Paek, Smith **NOES:** None
ABSENT: Jackson

MOTION 2 Commissioner Paek moved the approval with the following amendment on page 5-line 17: If the Commission finds against the permit holder and imposes administrative penalties, the Commission's decision shall state the amount of the penalties and declare that they are due and payable to the City and County of San Francisco within 30 days of the date of the decision, provided however that the Executive Director may agree to a reasonable payment schedule. Commissioner Kwok seconded the motion. Motion passes 6-0

AYES: Gillespie, Breslin, Kwok, McGuire, Paek, Smith **NOES:** None
ABSENT: Jackson

MOTION 2 Commissioner Paek moved the approval of the amendments as a whole. Commissioner Kwok seconded the motion. Motion passes 6-0

AYES: Gillespie, Breslin, Kwok, McGuire, Paek, Smith **NOES:** None
ABSENT: Jackson

PUBLIC COMMENT

- **Carl Macmurdo:** Section 1187 has SFTA support and is good for color scheme penalties. He suggested the addition of a section to the MPC section 1186 that would allow a permit to be suspended and stay in operation, with the proceeds going to the drivers fund.
- **Mark Gruberg:** He feels the penalty should be greater than the reward if the person is not driving. Section 1188(a) should be changed from the Executive Director making the final decision to the Commission making the final decision about the penalties.
- **Blake Derby:** The attention seems to be focused on the permit holders, who are mostly in compliance. He states that most drivers that lease do not turn in waybills. Requested that the penalties be applied fairly.
- **Karen Horning:** She noticed in the amendment that there are no provisions for the cab companies. Questioned who will do the investigation? Suggested separate investigators other than Taxi Detail to get the penalties enforced.
- **Joseph Fleischman:** He described his interpretation of the administrative penalties. Suggested the penalties should be 100% or less the lease fee and payable in a monthly rate not to exceed those lease fees.
- **Hansu Kim, S.F.T.A.:** S.F.T.A. supports administrative penalties. He believes the penalties will give the commission more tools to address the fraud issues in the industry.
- **Robert Cesana:** Thanked Executive Director Little for this legislation. Agrees 100 % with the penalties. Suggested collecting the fees as they occur.
- **George England:** Suggested phasing out the medallion fee. Proposition K states that medallion holders are independent contractors. Suggested imposing fees to the cab companies.
- **Ruach Graffis:** Questioned what is the penalty if somebody does not do what they are supposed to do? She suggested a penalty should be more than 100%.

11. ADJOURNMENT

Adjourned at 9:50 p.m.

Respectfully submitted,
Sonya Banks
Commission Secretary

Taxicab Commission >> Taxi Commission Meeting Information

Taxicab Commission

May 11, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1

PAUL GILLESPIE, VICE PRESIDENT, ext. 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

MICHAEL KWOK, COMMISSIONER, ext. 3

MARY McGUIRE, COMMISSIONER, ext. 5

MIN PAEK, COMMISSIONER, ext. 6

MARTIN SMITH, COMMISSIONER, ext. 7

NAOMI LITTLE, EXECUTIVE DIRECTOR

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TAXICAB COMMISSION AGENDA

REGULAR MEETING

May 11, 2004 at 6:30 p.m.

City Hall, 1 Dr. Carlton B. Goodlett Place

Room 400

1. Pledge of Allegiance

2. Roll Call

3. Approval of the Minutes for the April 27, 2004 Taxicab Commission Meeting. [ACTION]

4. Approval of the Consent Calendar. [ACTION]

5. Staff Report

6. Taxi Commission Announcements and Request to Calendar Items.

7. Public Comment (Please limit public comment to items not on the agenda)

8. Hearing and Discussion of Televising the Taxi Commission Meetings on SFGTV. [POSSIBLE ACTION]

9. Hearing and Possible Approval of Amending the Taxi Commission's Advertising Wrap Procedures. (Continued from 2/24/04 and 3/9/04) (Memo from Executive Director) [POSSIBLE ACTION]

10. Adjournment

Taxicab Commission Agenda

Regular Meeting

April 27, 2004, 6:30 p.m.

City Hall, 1 Dr. Carlton B. Goodlett Place

Room 400

CONSENT CALENDAR

1. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

Medallion Holder	Medallion #
Color Scheme	
1. Seifu Daba	784
Yellow Cab	
2. Michael Hair	756
Luxor Cab	

B. Recommendation of the Taxi Commission for approval of Taxicab Color Scheme Changes to: (Approval is conditional upon the applicant's notification to the Taxi Commission of the Specific Date of change and that such change be completed within ten (10) days of Commission Approval).

Medallion Holder	Cab #
Color Scheme	
1. Kin Chung Ching	1009
Regents Cab to Bay Cab	
2. Ping Chiu	245
DeSoto Cab to Yellow Cab	
3. Danny Phung	967
Luxor Cab to Yellow Cab	

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the May 25, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER: RAMPED TAXICAB:
NEW COLOR SCHEME:

None *None*
None

COLOR SCHEME CHANGES:

	Medallion Holder Change	*Cab #*
1.	*Ketema Ketema Luxor Cab to Yellow Cab*	*9071*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-7750 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that

deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

May 11, 2004

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

May 11, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Sonya Banks, Kelly Castagnaro - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

- **PLEDGE OF ALLEGIANCE**

- **ROLL CALL - The Roll Call showed a quorum was present.**

- **APPROVAL OF THE MINUTES FOR THE APRIL 27, 2004 TAXI CAB COMMISSION MEETING.**

Commissioner Gillespie moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Kwok, McGuire, Smith **NOES:** None

ABSENT: Breslin, Paek

4. APPROVAL OF THE CONSENT CALENDAR

4B Taxicab Color Scheme Changes

1. Commissioner Gillespie moved the approval of 4B1 of the consent calendar. Commissioner Kwok seconded the motion.

AYES: Jackson, Kwok, McGuire, Smith **NOES:** None

ABSENT: Breslin, Paek

2. Commissioner Smith moved the approval of 4B2 and 3 of the consent calendar. Commissioner McGuire seconded the motion.

AYES: Jackson, Kwok, McGuire, Smith, Breslin **NOES:** None

ABSENT: Paek
RECUSED: Gillespie

4A Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder

1. Commissioner Smith moved to approve Seifu Daba. Commissioner Kwok seconded the motion.

AYES: Jackson, Kwok, McGuire, Smith **NOES:** None

ABSENT: Breslin, Paek **RECUSED:** Gillespie

2. Commissioner McGuire moved to approve Michael Hair provided that Mr. Hair's waybills are reviewed quarterly for one year. Commissioner Kwok seconded the motion.

Mr. Michael Hair answered questions from the Commissioners on his own behalf.

AYES: Jackson, Gillespie, Kwok, McGuire, Smith, Breslin **NOES:** None

ABSENT: Paek

PUBLIC COMMENT

Barry Taranto: Congratulated Seifu Daba. Stated he had some concerns with Michael Hair's application. Why did it take him so long after his retirement to start driving and to get his medallion? He didn't put any time-ins and time-outs on his waybills and a lot of the waybills are missing the dates, or have wrong locations. Also, why he would travel from so far in the East Bay in heavy morning traffic to only work four or five hours? Does he want to be a cab driver or collect the $1800? Please institute some conditions on his medallion tonight.

Jim Gillespie: Responded to Barry Taranto's comments. Michael Hair is a San Francisco native, and served as a police officer at the airport. He took two years off following his retirement, then came to Luxor to start driving so he would qualify for his medallion. He didn't drive when he was a police officer, as he wasn't allowed to do both. Said that some of the mistakes Mr. Hair was accused of often happen when

drivers try and fill out their location and listen to the dispatch at the same time. If all cab drivers were convicted of the same mistakes, there wouldn't be many around.

5. STAFF REPORT

I. Board of Supervisors Finance and Audits Committee

A. On May 12, 2004 at 1:00 p.m. in BOS Hearing Room 263, the Committee will hear the Wheelchair Pick-ups legislations.

This ordinance amends the San Francisco Police Code, by amending Section 1148.1, to require that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application.

Ordinance amending the San Francisco Police Code, by amending Section 1125 to provide that the Taxi Commission may consider the effect on the public interest, including the impact on paratransit service, when a permit holder seeks to associate with a color scheme or to transfer the permit to another color scheme.

B. On May 19, 2004, the Finance and Audits Committee will hear the comprehensive taxi ordinance encompassing the Taxi Commission's amendments to the legislation regarding the:

1. Full-time driving requirement for taxi and ramped taxi permit holders;
2. Requirements for taxi and ramped taxi permit applicants; and
3. Administrative penalties and procedures for violations of taxi rules and the full-time driving requirement.

II. **Kelly Castagnaro:** Gave brief staff report regarding taxi stands at 18th and Castro Streets.

III. Board of Appeals April 28, 2004 Results

- C.Lando Sui: The BPA upheld the Taxi Commission vote to revoke Lando Sui's permit (2-3) for failure to drive full-time. You need 4 votes to overturn the Taxi Commission.
- D. **John Arkerder:** The BPA overturned the TXC's revocation on John Arkerder's permit for failure to drive full-time (4-1) and implemented a 9-month suspension and probation.

- E.Joe Leung: The BPA overturned the TXC's revocation of Joe Leung's A-card for paratransit fraud

(5-0).

IV. Report by Hansu Kim: AB 2591 Limo Legislation

V. Mayor appoints Naomi Little as Director of Purchasing

Mayor Gavin Newsom appointed Naomi Little as Director of Purchasing. The Purchasing Division of the Office of Contract Administration supports the procurement of the material, equipment and services that are essential to providing governmental services for the citizens of San Francisco. Naomi start date will be in June.

VI. Inspector Farrell Suslow, Taxi Detail: To dispel rumors, there has been some discussion at City Hall that June 30 could be the sunset of the Taxi Commission.

PUBLIC COMMENT

Barry Taranto: You should take the 18th and Castro issue seriously. There have been some arrests and citations, as well as Gestapo-like tactics by the police. We need to create even a temporary taxi stand soon. There's no place for cabs to queue up. Gas prices have gone up; you can't expect cab drivers to continue to circle waiting for fares. Captain Corrales said the last thing the police want to do is target cab drivers, so there has to be someone telling them that they have to keep the bus stop clear, even though the bus rarely pulls into the bus stop. I'm asking that each commissioner get involved and make sure this happens sooner than later.

Peter Witt: Native San Franciscan, 16-year Yellow Cab driver. The cab drivers shouldn't be getting tickets at a bus stop. I'd like to know if that's DPT, Muni or SFPD because they should be giving warnings and not given tickets. If it is Muni, there's a conflict of interest because we compete with Muni, if you didn't know commissioners. It's probably 30% of my business, 40%; I don't have the figures in front of me, but it is a great deal of business. A great deal of business people who use muni mostly take taxis, people who use Muni and taxis take taxis. So Muni is a shareholder, if you will, so there's a conflict of interest. If this commission is dissolved, there will be a conflict of interest. I'm not sure I'm happy that Naomi is leaving. As far as the limos are concerned, I believe we can still ticket those limos...

Robert Cesana: Sorry to see Naomi Little go. At some point, the Commission should thank Naomi Little because this is the first time in all the years of the Taxi Commission has actually done anything. We have meaningful legislation going through the process, and this is the first time it's happened. Said he has very strong objections to putting the cart before the horse in terms of the proposed ramped taxi legislation. Either you are going to say there should be central dispatch or state that all vans should be owned and run by one company. And the legislation doesn't talk about vans, but taxis, which is even more restrictive.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Gillespie: Stated that he assumed Director Little was going to be here at least one more time so the Commission could say what they wanted about Naomi, which is all good. Asked Inspector Suslow to repeat the last statement of the staff report. Said he wasn't sure that dispelled rumors; probably inflames quite a few. Given the staff report, said he was hesitant to calendar any items.

Commissioner Smith: Would like to discuss the reorganization of the taxi medallions, how we can improve the ramped taxi business. There have been a lot of tickets being given out at 18th and Castro and we have to move on these stands. When we first heard about the London cabs, we wanted to do something unique to the City. Thinks the London cabs should be open to anyone that wants to buy one, and anyone who wants to advertise on one (as long as it's agreeable to the Commission). We should discuss this and find out why they can't do it. Also wants to calendar the manager's exemption. Pretty soon, we're going to have all Prop K managers. Should give credits to managers for time spent in the office to go towards the driving requirement hours.

Commissioner Kwok: Has received complaints from the disabled community that the meetings are not being televised. Is upset that the Commission may only be around for a few more meetings. Said taxi drivers should submit requests for taxi stands to the Commission office, as well as one or two reasons why it is a good location. Thinks there is a need for a stand in Chinatown. You often have merchant opposition because of the loss of parking, but thinks we are looking at the big picture in providing a valuable service to the City.

Commissioner Breslin: This is the first time she's heard that the possible sunset of the Commission is an active rumor. Wants to put forth that we need to actively look at the reasons for this rumored suggestion to find out what paths are suggested for taxicab representation if this rumor is a reality. And if we find out that there's truth to the rumor, hopes we would spend the last few meetings finding some sort of action to ensure representation. Will it be better for the bigger picture or not?

Commissioner McGuire: Doesn't know how the issues are going to get heard. Thinks we are starting to accomplish things, and doesn't know how things are going to get done. Likes the process that allows everyone to speak, and finds the prospect unfortunate. It would be nice if we could get it resolved as soon as possible as some of us would like things to go out on the agenda. If we have three more meetings, would like to see the Veteran's work permit issue on the agenda. Thanked Hansu Kim, Mark Gruberg and Assemblyman Leno and his staff for all their work on the limousine legislation. Hopefully, we'll have greater latitude to do greater enforcement.

PUBLIC COMMENT

Mark Gruberg: Wanted to comment on the rumor of the taxi commission being disbanded. Has no insight into this, but understands that it's a legal impossibility to do this by June 30 because the Taxi Commission is set up under the City Charter. Proposition D established the taxi commission, and the only way you can abolish that is to amend the city charter. The charter was amended a year later when the Municipal Transportation Agency was set-up and that charter amendment said that the Board of Supervisors by ordinance could abolish the Commission and bring it into the MTA. The ordinance could not possibly take place by June 30; would guess it would be at least a 2-3 month process. So, is puzzled by the rumor.

7. PUBLIC COMMENT

Barry Korengold: Stated that as much as he complains about the Commission, at least it provides some kind of forum. Thinks it's important to know what we would

replace the Commission with, and is interested in what the reasons would be. Is it a budgetary issue or some other reason?

Peter Witt: Peter Witt, Yellow Cab. This is my current survey; actually this was created in 1998. This is one of the reasons that dissolving might be in effect. You've been ignoring these surveys since the beginning, and I've yet to be acknowledged that this is good work. I wouldn't go as far as to say that; I'd go a little further actually. My driver representatives thought it was pretty crude at the time. I can assure you that, statistically speaking, this is what the customer survey looks like. It's fairly obvious that this is just a regular survey—it has little grades here from bad to great, a little line here asking if you would like more cabs. This person didn't fill that out, just wrote in no opinion, which equals not sure, and didn't put their age, so they didn't fill it out completely. This person came from Chicago and...

Gratchia Makarian: Would like to comment on Commissioner Smith's recommendation of ramped taxis coming under one company. This is not the first time the Commissioners have come up with this wonderful idea, but there's a problem. This is a capitalist country. Proposition K is about individual permit holders being independent from companies, and being able to choose their own business under any color scheme they like. If existing cab companies follow the rules and regulations, we shouldn't have problems transporting wheelchair passengers, but they do, and that's why we have to talk about it. Cab drivers may never get any radio pick-ups, or may have five or six radio pick-ups everyday and refuse to take any more pick-ups. The size of the company doesn't have anything to do with service.

Hansu Kim: I respectfully disagree with what Gratchia just talked about. I'm all about choice, but let's look at this present system. Our ramp taxi system is broken. We allow permits to go to companies that have very little ramp service, we don't give drivers incentives to pick-up ramp taxi orders, we have vehicles that are breaking down, companies that don't want ramp taxis at their shop and we are allowing two companies to do the majority of pick-ups with less than 50% of the ramp taxis. This isn't about big or small. It's about a program that needs to be re-evaluated, and our existing system is broken. One of the things that we could do to improve taxi service in San Francisco is to re-evaluate this whole ramped taxi program.

Stephen Reimors: It's a simple fix. You put the right person behind the wheel; they take care of the people and take care of the cabs. However, the issuance of the medallions became tangled up in Prop K. I would like to ask the Commissioners if we could continue to keep the City of San Francisco healthy. The healthy economic environment has allowed me to keep living as a taxi driver for the past thirty years. Would like to see financial assistance programs for students and welfare recipients who can't afford the A card fees. I would like to see downtown parking eliminated, and an end to these special vehicles that bring people between gyms and parking lots. Thanks for helping to make this a good cab town.

Robert Cesana: I don't know if the rumors are true. The Taxi Commission is beholden to finish the work it has started. You've got to get in place a workable system for recording how many days, hours, years people work. You've just legislated a seniority program, but you'll have to look at all these waybills. That's approximately one million waybills. You need an auditor who can put these on the computer to see who's actually working. The other issue is senior citizens scrips. I'm still offered scrips for sale. It is not dishonest cab drivers; it's apparently the inability of Muni to collect them from smaller companies. Here you are putting in a computerized system and you can't even make the scripts system work.

Barry Taranto: We ought to find out what's going on here and find out what this rumor entails. This can't just happen overnight. DPT has sent a letter to W Hotel

because the hotel staff seems to think they can use the taxi stand for their house car. I hope we can work on communicating with these hotels. There are a lot of letters that go to the cab companies that don't get passed down to the drivers. Some of the companies do post these memos, but there has to be a better dissemination of this information. There was a good meeting today regarding the cab stand down at Pac Bell Park. By closing Broadway Tunnel on Friday or Saturday nights, they're making it hard for cab drivers. If this is what Central Station wants, let's tell the merchants that we're not going to serve North Beach.

8. HEARING AND DISCUSSION OF TELEVISING THE TAXI COMMISSION MEETINGS ON SFGTV

MOTION 1 Commissioner Gillespie moved that the Commission restore the televised May and June meetings. Commissioner Kwok seconded the motion.

AYES: Gillespie, Breslin, McGuire, Jackson, Smith, Kwok **NOES:** None

ABSENT: Paek

9. HEARING AND POSSIBLE APPROVAL AMENDING THE TAXI COMMISSION'S

ADVERTISING WRAP PROCEDRES

MOTION 1 Continued.

PUBLIC COMMENT

Robert Cesana: Is puzzled by what Commissioners said. Thought they were supposed to be discussing how the London cabs have an unfair advantage over other taxis in terms of advertising. The people running this program are lining their pockets, not doing this for the City of San Francisco. You have given an advantage to a multinational company to make a lot of money out of our taxicabs. We want a level playing field. Asking Commission to rescind preferential treatment given to London cabs.

Nathan Dwiri: Echoed Cesana's comments. You give the London cabs seven years of unrestricted wrapping, how about one year of unrestricted wrapping for vehicles that are bought new such as ramp taxis and stretch cabs?

Joe Diamond: I'm Joe Diamond representing DeSoto cab for advertising. I first brought this up on January 13, and it's been brought up at a number of meetings since. The London cab advertising company, an out-of-state company, was given this seven year exclusive to wrap cabs without any consideration for local companies that

would like the same privilege, at least for similar vehicles. We would simply like the restrictions lifted, at least for van taxis as they were for London cabs. This is advertising not art; doesn't think the ad copy needs to be presented and approved at every meeting.

Hansu Kim: Wanted to respond to comments by Robert Cesana. It's one issue to allow for wrapping vehicles. But to denigrate the London taxis is another. There aren't too many here, I was involved in bringing them here I think London cabs have enhanced taxi service in SF. The public says bring more of the London taxis in. They're having some mechanical problems right now, so they may not make it in San Francisco. To talk about advertising wraps on an even playing field is one thing, but characterizing the London taxis, as a façade is a different issue than what's been presented to you.

10. ADJOURNMENT

Adjourned at 8:15 p.m.

Respectfully submitted,

Kelly Castagnaro

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

NAOMI LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

May 25, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

3

25/04

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the May 11, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Possible Approval of Amending the Taxi Commission's Advertising Wrap Procedures. (Continued from 2/24/04 and 3/9/04, 5/11/04) (Memo from Executive Director) [POSSIBLE ACTION]
9. CLOSED SESSION ON ANTICIPATED LITIGATION
   a. Public comment on all matters pertaining to closed session.
   b. Vote on whether to hold closed session to confer with legal counsel (San Francisco Administrative Code sec. 67.10(d)) [ACTION]
   c. Closed session pursuant to Government Code sec. 54956.9(b)(1) & (b)(3)(B), and San Francisco Administrative Code sec. 67.10(d)(2): Anticipated litigation as defendant – 1 case.
   d. Discussion and vote in open session pursuant to Government Code sec. 54957.1 and San Francisco Administrative Code sec. 67.12 on whether to disclose action taken or discussions held in closed session. [ACTION]
10. Adjournment

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CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Martin Acholonu	Gamil Albayohani	Choudhry Ali	Abdulraheem Aljunaidi
Reid Allison	Ruben Alvarado	Fausto Araujo	Ivan Batista
Raven Biederman	Kevin Chao	David Chew	Marshall Chew
Lilia DeJesus	Anatoliy Filipyev	Michael Freeman	Lamont Grays
Gerard Griffin	Fawwaz Khadijeh	Adnan Khan	Ibrahim Kurtcu
Horst Leschner	Alexander Lukashuk	Dasram Maharjan	Sheridan McPherson
Adil Mouftakir	Duy Nguyen	Omar Rashid	Shyam Shrestha
Daljit Singh	Kamaljeet Singh	Linin Suleiman	Thang Tran
Francisco Vieira	Danny Zeidan		

B. Recommendation of the Taxi Commission for approval of Taxicab Color Scheme Changes to: (Approval is conditional upon the applicant's notification to the Taxi Commission of the Specific Date of change and that such change be completed within ten (10) days of Commission Approval).

	Medallion Holder	Cab #	Color Scheme
1.	Ketema Ketema	9071	Luxor Cab to Yellow Cab

C. Approval of Final Decision by the Executive Director Regarding Recommendations Submitted by Taxi Commission Hearinig Officers.

1. Approval of Revocation of Permit #1147 Held by Permitholder Diane Cohen.
2. Approval of Revocation of Permit #1100 Held by Permitholder Jamie Yuen.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the June 8, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
Fadel Zaru	*None*	*None*

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*Alan D. Morrison*	*851*	*DeSoto Cab to Big Dog*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late requests will be honored if possible.
Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-7750 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

May 25, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1

PAUL GILLESPIE, VICE PRESIDENT, ext. 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

MICHAEL KWOK, COMMISSIONER, ext. 3

MARY McGUIRE, COMMISSIONER, ext. 5

MIN PAEK, COMMISSIONER, ext. 6

MARTIN SMITH, COMMISSIONER, ext. 7

NAOMI LITTLE, EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

May 25, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:45 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Kelly Castagnaro - Taxi Commission; Captain O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

- **PLEDGE OF ALLEGIANCE**

- **ROLL CALL - The Roll Call showed a quorum was present.**

- **APPROVAL OF THE MINUTES FOR THE MAY 11, 2004 TAXICAB COMMISSION**

Commissioner Gillespie moved the approval of the minutes. Commissioner Smith seconded the motion.

4. **APPROVAL OF THE CONSENT CALENDAR**

Executive Director Naomi Little requested to sever item 4C1 of the consent calendar until June 8, 2004.

4C1 Approval of Revocation of Permit#1147 Held by Permitholder Diane Cohen.

Commissioner Smith moved to grant a continuance of 4C1 until June 8, 2004. Commissioner Kwok seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek

PUBLIC COMMENT

- **Barry Taranto:** He explained Diane Cohen's case in detail. He has read the case file extensively. He states that Diane Cohen admitted to not fulfilling the driving requirement and relinquished her rights but was advised to obtain a new attorney. He pleaded with the Commission not to let this case drag on.

4C2 Approval of Revocation of Permit#1100 Held by Permitholder Jamie Yuen.

Commissioner Smith moved the approval to revoke Permit #1100. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek

4B1 Taxicab Color Scheme Changes

Commissioner Smith moved the approval of 4B1 of the Consent Calendar. Commissioner McGuire seconded the motion.

AYES: Jackson, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek **RECUSED:** Gillespie

4A Driver Public Passenger Vehicle

Commissioner Gillespie moved the approval of 4A of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None
ABSENT: Paek

5. STAFF REPORT

Naomi Little, Executive Director: She clarified rumors about the Taxi Commission moving to the Municipal Transportation Agency. At the last Taxi Commission meeting, it was said the Commission would sunset on June 30, 2004. The Taxi Commission was created under Proposition D. City Charter Section 8A.101 establishes the basis for the Municipal Transportation Agency and its jurisdiction. In part of this section, the language states that: The Board of Supervisors shall have the power, by ordinance, to abolish the Taxi Commission created in Section 4.133, and to transfer the powers and duties of that commission to the Agency's Board of Directors. A move to abolish the Taxi Commission is part of the language in the Mayor's Budget. Per the City Charter, the budget must be introduced by June 1, 2004. The Taxi Commission's Budget will be heard in Committee on Wednesday, June 16, 2004 with regular budget meetings held on April 29th, May 13th, 20th and June 10th beginning at 10:00 a.m. The Board of Supervisors must adopt the budget by July 30, 2004. A majority of six votes would be needed to abolish the Commission. As of June 1st she will be focusing more of her attention to her newly appointed position as City Purchaser. She is available to assist with taxi issues until her position is filled.

Sergeant Vince Simpson, S.F.P.D. - Taxi Detail: On Monday, May 10, 2004, Sergeant Simpson, S.F.P.D.-Taxi Detail, Sergeant Mulkeen, Ground Transportation Unit at SFO, and Hansu Kim, Director of S.F.T.A. met with Carmen Kern, Consumer Assurance Weight and Measures Unit, to review the pilot program that was instituted this past year for the inspection of taxi meters. Three main issues were discussed: 1) Dual inspection of taxicabs during the same year. A cab is required to get a Weight and Measures inspection seal of the taxi meter in that vehicle. Unfortunately, there are times the taxi is involved in a accident and those taximeters have to move to a new vehicle. Currently, Weight and Measures is charging cab companies for a second inspection because that meter has now moved to another taxi. They are looking into having the company license technician that seals the taximeters get authorization from the Consumer Assurance Commissioner to allow that seal to remain valid until the next regular taximeter inspection. That would save the company money. 2) The 15 minutes inspection time slot which is allotted for each taxicab. They are asking for better accommodations and more time for taxis that arrive late to be inspected; 3) Education for drivers and company managers to see what is needed to ensure that the cab is ready and what guidelines the drivers could follow to ensure their taxi meters would pass the weight and measures inspection. It was recommended that Weight and Measures could put together a report listing reasons for failures, per cab company and the reason why the cab failed. Then meet with representatives from the cab companies and S.F.T.A. Director Hansu Kim, to go over those issues so the failure rate would decrease during the next scheduled inspections.

PUBLIC COMMENT

- **Captain Thomas O'Neill, S.F.P.D. - Taxi Detail:** Congratulated Naomi Little on her new position on behalf of the Taxi Detail. Thanked her for all her hard work on behalf of the industry.
- **George Lancia:** He questioned if the meters were being departmentalized? If the meters are installed in another cab, it would have to be re-adjusted. He believes there is a loophole in the process.

PRESIDENT JACKSON LEFT THE MEETING AT 7:40 P.M.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Would like to calendar a discussion on hybrid and other alternative fuel vehicles. The Commission has made accommodation for the London taxis, and now is good time to start talking about hybrid and alternative fuel vehicles given soaring gas prices. Requested to obtain a list of ramp medallions by numbers to assure the medallion is picking up ramp passengers.

Commissioner Gillespie: 1. Requested to calendar hybrid and alternative fuel vehicles. He has materials he would like to present and a representative from Ford would like to speak. 2. Requested that the Taxi Commission make a recommendation to the Board of Supervisors on possible usage for the taxi funds. Requested both items be scheduled on the June 8th meeting and a resolution/proposal to be voted on by June 22nd meeting. Invited drivers to submit their ideas and suggestions for how the taxi funds can be used.

PUBLIC COMMENT

- **Jean Michel Normand, Cab driver for 17 yrs.:** He proposed not to dismantle the Taxi Commission. Requested to schedule what are the needs and the need for service. Requested what has been done about the permit holder's driving requirements and waiting list?

7. PUBLIC COMMENT

- **Eduardo Bonsi, Sound Pollution:** Thanked the Taxi Commission and Taxi Detail for responding to his request about the squeaking brake situation on Russian Hill. Would like to see the Taxi Commission remain in operation. It is very important for the public to be informed on taxi issues. Requested improving drivers education.
- **Ivana Kirola:** She is a ramp taxi consumer. Drivers that drive for small cab companies do not have adequate training nor are they compensation for their training. Recommended drivers not go the airport or other profitable places and instead service people with physical disabilities. Suggested funds be used for ramped drivers training and sensitivity.
- **Barry Taranto:** He was happy to hear Ivana Kirola express her concerns. He appreciates all the hard work that Naomi Little has provided to the industry. He informed the Commission of hotel bribes for airport loads. Cab drivers are paying hotels $10.00 for passengers going to the airport. When cab stands are temporarily removed, DPT should make accommodations for another location for cabs to line up. It would be a mistake, if the Taxi Commission merges with MTA.
- **George Lancia:** He hopes the Taxi Commission does not fold. There has been long-time problem of corruption at hotels. Suggested that disciplinary action be taken against drivers who participate in corruption. Recommended suspension of their A-card for three months.
- **Jean Michel Normand:** He believes Black & White Checker and other small cab companies (not all) has set up a system of corruption. He believes some drivers have forgotten this is a public service and public transportation for San Francisco. The taxi industry can be fixed if the City steps in.
- **Jim Gillespie:** At the S.F.T.A. meeting the topics of corruption at hotels and fees that are being charged and paid for by drivers was discussed. Appreciates Commissioner McGuire's comments regarding drivers not paying the fees. Suggested setting up a meeting with the Executive Director of the Hotel Council and managers of the hotel and the taxi industry. He was appalled at the amount of money being paid.
- **Hansu Kim, S.F.T.A.:** He commented on the overall perception of the taxi industry. The San Francisco Transportation Authority introduced their yearly strategic plan but there was no mention about taxi services. Suggested the taxi

industry be as active as possible being a part of transportation in committees where allocations of funding are done and policy discussions are made. He feels one of the biggest problems is lack of communication with the other transportation departments in the City. Recommended becoming more active

- **Gratchia Makarian, Black and White Checker:** Clarification on comments made by Jean Michel Normand. There is no requirement or contract at his company that requires cab drivers to pay hotel doormen for airport trips. There is no law the prohibits drivers from tipping the hotel doormen.
- **Lt. Jeanne Schlotz, S.F.P.D.-Taxi Detail:** Added a comments to Jim Gillespie's statement. Lately, she has been working on two complaints that have taken a huge amount of time, and resulted in little information. The hotels do not seem to bat an eye about the doormen demanding tips, and there is still no resolution.

8. HEARING AND POSSIBLE APPROVAL OF AMENDING THE TAXI COMMISSION'S ADVERTISING WRAP PROCEDURES.

Commissioner Smith moved to approve the amendments. Commissioner Breslin seconded the motion. Motion failed 2-3

AYES: Breslin, Smith **NOES:** Gillespie, Kwok, McGuire
ABSENT: Jackson, Paek

PUBLIC COMMENT

- **Barry Taranto:** He read most of the documentation. He believes it is discrimination against the ramped and other vans because the vans cannot have the top light advertising, as they will not fit in the garages at the airport. The argument about it being a disadvantage should be taken seriously. Stretch taxicabs are not as expensive as the ramp taxis. Advertisers need a certain number of cabs in order to make their campaign beneficial, which would be a disadvantage for small companies that may not have up to ten cabs to wrap. Questioned how long an advertising campaign could run?
- **Jean Michel Normand:** Suggested not to over-regulate; competition is a part of life. He states that he does not like advertising, but the industry needs the money that the advertisement generates. Suggested that it be equal for everyone.
- **Hansu Kim, S.F.T.A.:** The rules stating that no more than 15% of a taxi fleet can be wrapped is still in effect. It becomes more attractive for advertisers to have a two-year service life as an option it might be an incentive for cab companies to buy new vehicles. He urged the Commission to support the amendment.
- **Nathan Dwiri, President of Yellow Cab:** Royal Cab has five London cabs that are wrapped with one wrapping scheme, so small companies do have the opportunity to wrap their vehicles as well. Agreed with the pervious speaker regarding the 15%. Advertisers would like longer exposure to justify the expense. The London taxi is exempted from all the wrapping rules. Urged the Commission to amend the wrap procedures.
- **Jim Gillespie:** Joe Diamond from Moving Media wanted the same parameter as the London taxis, which would change the 15%. Yellow Cab would not have a problem with the 15% because they have over four hundred cabs. He believes that Joe Diamond was asking to match what was offered to the London taxis. It is very expensive for the advertising companies to wrap a cab for a couple of months, and is not cost effective. Suggested smaller companies are a part of an

advertising group.

9. CLOSED SESSION ON ANTICIPATED LITIGATION

9b. Commissioner Breslin moved the approval to enter into closed session at 8:50 pm. Commission Kwok seconded the motion.

AYES: Gillespie, Breslin, Kwok, McGuire, Smith
NOES:
ABSENT: Jackson, Paek

9d. Returned from closed session at 9:40 p.m. Commissioner Breslin moved not to disclose action taken or discussions held in closed session. Commissioner Smith seconded the motion.

AYES: Gillespie, Breslin, Kwok, McGuire, Smith
NOES:
ABSENT: Jackson, Paek

PUBLIC COMMENT

- **Barry Taranto:** He believes the Sunshine law may have been violated. He disagrees with City Deputy Attorney Owen about the wording. He believes the topic should have been listed. Yellow and Luxor Cab had to returned their corporate medallions to the city within a certain amount of time, so should Veterans.
- **Mark Gruberg, U.T.W.:** Concurred with Barry Taranto's remarks. He states Veterans Cab Company has received a six year free ride. The Police Commission and Board of Appeals decisions against the corporate permits took place in 1997-1998 at the same time as Yellow and Luxor Cab Companies. All corporate permits except Veterans have been returned to the City. There is not reason for the delay.
- **Jean Michel Normand:** He found Mark Gruberg's comments interesting. He believes Veterans has a misconception of Proposition K. Permits are not a retirement plan. Do not allow Veterans keep their corporate permits.

10. ADJOURNMENT

Adjourned the meeting at 9:45 p.m.

Respectfully submitted,
Sonya Banks, Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

NAOMI LITTLE, EXECUTIVE DIRECTOR

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

June 8, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

3

8/04

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the May 25, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Possible Approval of Amending the Taxi Commission's Advertising Wrap Procedures. (Continued from 2/24/04 and 3/9/04, 5/11/04, 5/25/04) (Memo from Executive Director) [POSSIBLE ACTION]
9. Discussion of Purpose of Taxi Wrap Funds. [DISCUSSION]
10. Discussion Regarding Hotel Pickups. [DISCUSSION]
11. Adjournment

NOTE: PLEASE USE THE GROVE STREET ENTRANCE OF CITY HALL FOR THIS MEETING

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Kenneth Aragon, Jr.	Khalid Benbihi	George Chiu	Adnan Dauodi
Huseyin Deniz	Richard Ellis	Ramzi Guezmir	Mark Haberman
Kamran Hashemi	Scott Haynes	Feroze Hussain	Igor Israelyants
Oday Khaldi	Svyatoslav Konshin	Roberto Lezama	Oleg Litvinov
Ian Matos	Jagbir Nagra	Robert Parker	Diego Pereira
Terry Phillips	Peter Pleskot	Rukh Ram	Peter Rapier
Marcelo Ribeiro	Ignacio Serpa	Pugman Sharma	Sean Siegle
Iqbal Singh	Thomas Wehrer	Ilya Yudkevich	

B. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Fadel Zaru	942	DeSoto Cab

C. Recommendation of the Taxi Commission for approval of Taxicab Color Scheme Changes to: (Approval is conditional upon the applicant's notification to the Taxi Commission of the Specific Date of change and that such change be completed within ten (10) days of Commission Approval).

	Medallion Holder	Cab #	Color Scheme
1.	Alan D. Morrison	851	DeSoto Cab to Big Dog

D. Approval of Final Decision by the Executive Director Regarding Recommendations Submitted by Taxi Commission Hearing Officers. (Continued from 5/25/04)

1. Approval of Revocation of Permit #1147 Held by Permitholder Diane Cohen.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the June 22, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
None	*None*	*None*

COLOR SCHEME CHANGES:
None

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
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Taxicab Commission

June 08, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1

PAUL GILLESPIE, VICE PRESIDENT, ext. 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

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NAOMI LITTLE, EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

June 8, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Paek; Smith

ABSENT:

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:31 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson - Taxi Detail

- **PLEDGE OF ALLEGIANCE**

- **ROLL CALL - The Roll Call showed a quorum was present.**

- **APPROVAL OF THE MINUTES FOR THE MAY 25, 2004 TAXICAB COMMISSION**

Commissioner Smith moved the approval of the minutes. Commissioner Gillespie seconded the motion.

PUBLIC COMMENT

- **David Pilpel:** Requested that the dates on the minutes be corrected. He questioned what time did President Jackson leave the meeting and what time did closed session end?
- **Jean Michel Normand:** Thanks for including the essence of his comments in the minutes.

- **APPROVAL OF THE CONSENT CALENDAR**

4A, B Driver Public Passenger Vehicle and Taxicab Medallion Holder Permit

Commissioner Gillespie moved the approval of 4A and B of the consent calendar. Commissioner Kwok seconded the motion. Motion passes 4-1

AYES: Jackson, Gillespie, Kwok, Smith **NOES:** Paek

ABSENT: Breslin, McGuire

4C Taxicab Color Scheme Changes

Commissioner Gillespie moved the approval of 4C of the consent calendar. Commissioner Paek seconded the motion.

AYES: Jackson, Gillespie, Kwok, Paek **NOES:** None

ABSENT: Breslin, McGuire **RECUSED:** Smith

4D Revocation of permit #1147 by Diane Cohen

Commissioner Gillespie moved the approval to revoke Permit #1147. Commissioner Kwok seconded the motion. Motion passes 4-1

AYES: Jackson, Gillespie, Kwok, Smith **NOES:** Paek

ABSENT: Breslin, McGuire

PUBLIC COMMENT

- **Geoffrey Rotwein, Attorney for Diane Cohen:** He questioned whether or not the Commissioners reviewed the audiotape and written documents regarding Diane Cohen's revocation hearing. Requested that the Commissioners sever Diane Cohen case from the consent calendar for it could be heard separately.

- **STAFF REPORT**

Naomi Little, Executive Director: She announced there have been no Board of Appeals meetings lately. On June 9, 2004 at 1:00 p.m., the Board of Supervisors Finance and Audit will meet to consider the Daly/Ma legislation. Most of the provisions are supported by the Supervisors and taxi industry. The Supervisors are

tinkering with "what is disability and how does it relate to the full time driving requirement."

PUBLIC COMMENT

- **Jean Michel Normand:** He urged everyone who has ideas, interests and/or concerns about the taxi industry to attend the June 10, 2004 Board of supervisors meeting.

- **6.TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS**

Commissioner Smith: Would like to calendar a meeting with S.F. Police Department regarding city events such as parades, demonstrations and conventions. Requested an update on taxi stands and a list by medallion number accounting for ramp taxi pick-ups.

Commissioner Kwok: Requested an update on taxi stands and rest area for taxi drivers.

Commissioner Breslin: Thanked the Commissioners and the taxi industry for their support and attendance at the penny pitch held on Memorial Day. The organization raised over $53,000.00 for St. Anthony's dining room.

Commissioner McGuire: Requested a discussion or action on the closure of the Broadway Tunnel on the weekends.

PUBLIC COMMENT

- **Barry Taranto:** Thanked Taxi Commission staff member Kelly Castagnaro for preparing reports. Suggested that the Commission get involved when DPT takes away a taxi stand, they should provide an alternative site for a stand. Concerned that DPT is continuing to enforce the taxi stand at 400 McAllister Street although the restriction for right turn only has been abolished.
- **Ruach Graffis:** Read a letter from UTW member Dave Barlow regarding taxi permits sales and transferability.
- **Captain O'Neill, S.F.P.D.-Taxi Detail:** Commented on taxi drivers' frustration about the taxi stand at Moscone Center. He stated that a relocation of the taxi stands would not have been practical.

7. PUBLIC COMMENT

- **Hansu Kim, Han's Consulting Group:** He made brief comments regarding the proposal, which would allow drivers to buy and sell permits. The present system of issuing permits is flawed because the permits are a public asset, but are treated has an entitlement.
- **Phil Alaniz, Electric Time Car Rental:** Presentation on the pedi cabs. Requested the Commission's help in obtaining licenses to operate the pedi cabs.
- **Robert Cesana, PDA, Yellow Cab:** He commented on Ruach Graffis' concerns. He states in 1978 when Proposition K was put on the ballot that all the applications were frozen. Therefore, he suggested the city needs to make a statement to verify the proposal to buy and sell permits and to ensure applications are in order.
- **James Cortesos:** He is next on the permit waiting list. He served the City of San Francisco for 28 years, is proud of his occupation and has served in the ramp taxi program for five years. Concerned that someone listed below his name had received a permit package.
- **Dominic Rodrigues:** Instead of improving, the taxi industry business has gone downhill. Suggested the Commissioners write letters to all the lobby managers about stopping corruption at the hotels.
- **Peter Witt, native San Franciscan, 16 yr. Yellow Cab driver:** Provided/displayed his customer survey results.
- **Jean Michel Normand:** Explained the dysfunctional system of the taxi industry. Suggested improving public service and by giving permits to experienced drivers. Recommended 1) Clean up the waiting list; 2) Enforcing driving requirements for permit holders; 3) Considering all taxi drivers as civil service employees of the City of San Francisco.
- **Barry Korengold, cab driver since 1980:** Shared his concerns about the new proposal of selling medallions. Suggested enforcing Proposition K. Questioned after paying the City a percentage and the interest rate, what will the profit be for medallion holders? The loan companies will be making the money while the cab drivers will be doing the work. He suggested a seniority system.
- **Mark Gruberg:** Commented on the proposal. If transferability occurs it would become an economic imperative of the system. He implied the same situation happens to non-permit holder drivers. Suggested looking at it as problems that affect everybody, not just permit holders.
- **Barry Taranto:** Applauded President Jackson for his comments regarding the availability of taxis at the Moscone Center. Taxi stands are being removed. Suggested a presentation be presented to Naomi Little for her services. Has concerns about the legislation regarding the Taxi Commission merging with MTA. Suggested the Taxi Commission give a recommendation about the future of the Commission. He announced the employee cafeteria at the airport will be closing, there is a renewed contract with Shuttle Port Dodge for another seven months, and that hearings will be held regarding the Geary/O'Farrell Streets.

- **8.HEARING AND POSSIBLE APPROVAL OF AMENDING THE TAXI COMMISSION'S ADVERTISING WRAP PROCEDURES.**

Commissioner Smith moved the approval of amending the advertising wrap procedures as follows: **#3)** Each wrap request shall contribute $100.00 per wrapped taxi, per month to the Taxi Industry Fund; **#11)** Subject to all of the wrap guidelines, all

vehicles may be continuously wrapped for the first two-years of its service life. Commissioner Kwok seconded the motion. Motion passes 6-1

AYES: Jackson, Gillespie, Breslin, Kwok, Paek, Smith **NOES:** McGuire

PUBLIC COMMENT

- **Joe Diamond, President of Moving Media:** Representing DeSoto Cab for advertising. Discussed his presentation to the Commission in January 2004 about the London taxis. The London taxis are not subject to the regulations of the wrap procedures; recommended taxi vans be afforded the same rights. Suggested each amendment be voted on separately. He is not interested in wrapping ramp vans; only specialty vehicles and mainly taxi vans.
- **Robert Cesana:** He is puzzled why Joe Diamond wants to exclude ramp vans. Ramp vans are in crisis because no one wants them. Recommended doing whatever it takes to put money into the ramp program.
- **Hansu Kim:** Received a call from Jim Gillespie, President of S.F.T.A., who is in favor of amendments. He provided clarification regarding the provision that 15% of the taxi fleet that could be wrapped.
- **Jean Michel Normand:** Suggested no wrap advertising on ramp taxis. Suggested equal opportunity for all taxi companies. The 15% is only good for the big companies.
- **Peter Witt, native San Franciscan:** San Francisco is the most expensive taxi city in the United States. He believes the wraps add profit for the taxi companies. The meter and gate fees have gone up. He believes that high meter rates affect customers. Concerned with runaway profiteering by companies.

- **9.DISCUSSION OF PURPOSE OF TAXI WRAP FUNDS**

PUBLIC COMMENT

- **Barry Korengold:** He believes $100.00 is very little and the $100.00 should be charged as long as the wrap is on the cab. Recommended a health plan that drivers could buy into or a scholarship fund for children.
- **Jean Michel Normand:** Suggested the funds be used for special cases linked with cab drivers like auto accidents and drivers who can't drive anymore. Suggested focusing on smaller area of needs.
- **Barry Taranto:** Thanked the Commission for addressing this issue again. Thanked Kelly Castagnaro for preparing the memo regarding the taxi wrap funds. Suggested looking for another funding source for the first two recommendations on the memo. Suggested using the funds as an investment like mutual funds.
- **Robert Cesana:** He had two suggestions: 1) a party for all the taxi drivers; 2)

take 50% of the money every year and give it to one terminally ill child. The money is from the taxi industry but should be used for something outside of the industry.
- **Peter Witt:** Suggested using the money for something inside the taxi industry. Suggested the funds be used for children whose parents are deceased, education, taxi stands, maps for drivers/visitors, signs of the taxi stands, plaques informing customers about limousines that solicit in front of hotels or as a incentive for companies to improve their dispatch services.

- **10.DISCUSSION REGARDING HOTEL PICKUPS.**

Sergeant Vince Simpson, S.F.P.D.- Taxi Detail: Gave a brief presentation regarding hotel pickups.

Commissioner Patricia Breslin: Provided additional information to the presentation.

PUBLIC COMMENT

- **Barry Korengold:** He thinks it is really good news that finally something is being done about the tips to doormen. He believes it was not the cab drivers that drove up the price; it was the limousine drivers offering the doormen $10.00 at the beginning. He goes to hotels where the doormen don't take tips. Limousines are parking in front of the hotel using the cab stands. He will start reporting these types of incidents.
- **Robert Cesana:** Thanked Commissioner Breslin for the report. However, there's an omission in the report. A vast majority of the hotels do not have cab stands. Only the large hotels have cab stands. Smaller hotels have passenger loading white zones. Suggested speaking with DPT because the industry need the cooperation from the hotels and modifying the State law, so that taxi and limousine are only allowed to stand for five minutes, and not other commercial vehicles.
- **Peter Witt:** Limousines are breaking the same rules. Suggested a phone number for drivers to use for complaints. He believes there is a problem of communication with the Commission. Suggested cab drivers call the managers of that hotel to complain.
- **George Lancia:** Addressed his comments to Commissioner Breslin. Suggested addressing the problems the cab drivers are having to hotel management.
- **Barry Taranto:** Appreciates Commissioner Breslin for doing her homework. Thanked Sergeant Simpson for his presentation. Cab drivers feel if they call Taxi Detail nothing will be done about their complaints. Staff members at the hotels do not allow guest to make their own decision. At Park 55 Hotel they have a policy of having only two house cars. Requested including cab drivers in future meetings.
- **Hansu Kim:** Thanked Commissioner Breslin for her comments. Commented on Robert Cesana's statement. The taxi industry is consider the "bastard child" in the transportation committee. The taxi industry needs to be an influence on policy decision-making creating better communication with other transportation agency.

11.ADJOURNMENT

Adjourned the meeting at 9:45 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

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NAOMI LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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June 22, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

3
22/04

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the June 8, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Presentation of Certificate of Appreciation to Naomi Little.
6. Staff Report
7. Taxi Commission Announcements and Request to Calendar Items.
8. Public Comment (Please limit public comment to items not on the agenda)
9. Hearing and Presentation by NICA Incorporated regarding Taxicab Independent Contractors Insurance Needs. [DISCUSSION]
10. Hearing and Discussion of Transferring the Powers and Duties of the Taxi Commission to the Municipal Transportation Agency's Board of Directors' and setting operative date for transfer. [DISCUSSION] (PROPOSED ORDINANCE)
11. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Sergio Alcanfor	Safar Abolfathipour	Robert Alexander	Muhammad Anjum
Eduardo Cedro	Keith Chan	Ken Chan	Don Chew
Hoe Chow	Alvaro Claegare	Eder Costa	Hernan Contreras
Alexander Daffon	Muhammad Daher	Nasredin Dalil	Leoulekal Denegetu
Alexander Dizik	James Dochney	Jorge Dos Santos, Jr.	Ziad Eid
Santiago Farias	Eric Fisher	Millyon Gemechu	Fabiano Gomes
H. Roy Gordon, III	Michael Habash	Hassan Hamdi	Saeed Khan
Thomas Kamb	Rejesh Kaul	Robert Keller	Shahid Khan
John Khouly	Jeffrey Kolber	Mukesh Kumar	David Lokshin
Ronald Lynch	Guany Mahmudoglu	Ramon Mariano	Scott Maynard
Adriano Melo	Juliano Mesquita	Ronald Michalak	Rizwan Mohammed-Abdul
Andy Moore	Enkhjargal Nyamaa	Donal O'Sullivan	Sebastian Pereira
Claudio Pimenta	Leonardo Pires	William Ringgold	Avtar Saini
Ahmed Salemtedj	Plinio Santos	Abdellah Saouaf	Alpaslan Senarslan
Maninder Singh	Mirza Tahir	Zhi Tan	Daniel Watkins
Wing Wong	Gennady Yasevich	Win Ye	Marwais Zarif
Raed Zumot	Robert Zurcher		

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TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB:
Tito E. Dziensuwski

NEW COLOR SCHEME:
None

COLOR SCHEME CHANGES:
None

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Taxicab Commission

June 22, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

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MARTIN SMITH, COMMISSIONER, ext. 7

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2/04

KELLY CASTAGNARO, ACTING EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

June 22, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:45 PM

STAFF IN ATTENDANCE: Acting Executive Director Kelly Castagnaro, Sonya Banks - Taxi Commission; Captain O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

- **PLEDGE OF ALLEGIANCE**

- **ROLL CALL - The Roll Call showed a quorum was present.**

- **APPROVAL OF THE MINUTES FOR THE JUNE 8, 2004 TAXICAB COMMISSION**

Commissioner Gillespie moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek

- **APPROVAL OF THE CONSENT CALENDAR**

4A DRIVER PUBLIC PASSENGER VEHICLE

Commissioner Gillespie moved the approval of 4A of the consent calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek

5. PRESENTATION OF CERTIFICATE OF APPRECIATION TO NAOMI LITTLE.

President Jackson presented Naomi Little with a Certificate of Appreciation plaque.

PUBLIC COMMENT

- **Mark Soto, General Manager of S.F. Paratransit Broker:** Thanked Naomi Little for all of her hard work. He expressed appreciation on behalf of ATC who manages the S.F. Paratransit Program for the S.F. Municipal Railway. She has been a tremendous asset and has taken great interest in the need of transportation for people with disabilities.
- **Captain Thomas O'Neill, SFPD-Taxi Detail:** On behalf of the S.F.P.D. Taxi Detail, expressed his appreciation to Naomi Little for her professionalism. The taxi industry has respect for Ms. Little for her establishing the Taxi Commission office for the ground up. He wishes her much success in starting a new department.
- **Robert Cesana, PDA, Yellow Cab:** Thanked Naomi Little and the Commission. The industry has seen a transformation of the Commission. Together we have created meaningful legislation that has helped everyone. Requested everybody think of ways to continue this Commission.
- **Jane Bolig, S.F.T.A.:** Expressed appreciation on behalf of the S.F. Taxi Association for all of Naomi's hard work. She believes the Commission received direction from Ms. Little. Wished Naomi Little the very best of luck.
- **Sherry Gendelman, Attorney:** She thanked Naomi Little for her professionalism and compassion. As a defense attorney representing taxi drivers, she appreciates Naomi's willingness to listen to both sides of the story. She wished Naomi much success.
- **Peter Witt:** He hates to think that Naomi will be the first and last executive director. He will miss Naomi Little. Thanked Naomi for all her good deeds and good luck.
- **Ruach Graffis, UTW:** UTW officially thanked Naomi Little and wished her the best in her future endeavors.
- **Barry Taranto:** He states the taxi industry, the Commission and Taxi Detail is in a much better place because of Ms. Little's hard work. Ms. Little made it easier to access information. He wished Naomi good luck on her new position.

PRESIDENT JACKSON REQUESTED TO HEAR ITEM #10 NEXT

- **10.HEARING AND DISCUSSION OF TRANSFERRING THE POWERS AND DUTIES OF THE TAXI COMMISSION TO THE MUNICIPAL TRANSPORTATION AGENCY'S BOARD OF DIRECTORS**

Tom Owen, City Attorney: He gave a brief presentation.

PUBLIC COMMENT

- **Barry Taranto:** Explained what happened at Wednesday's Budget Committee hearing. He obtained a copy of the proposed budget from the Controller's office. Most of the revenue comes from the medallion holders. Suggested that refunds be given back to the industry. Suggested a resolution be submitted to the Supervisors explaining the taxi industry concerns over the mayor's proposal.
- **Robert Cesana:** The most important issue is to clean up old business before

the demise of the Commission. Suggested all permits should be returned to the city and then go out to bid. Suggested salary employees should be picking up paratransit fares instead of taxi's. Suggested a citywide dispatch service for paratransit.

- **Tara Housman:** She believes it would be a mistake to abolish the taxi commission. She believes that MTA will use the industry funds as a cash flow. Suggested the salary of the executive director for the months of July thru September should be given back to the drivers and cab companies.
- **Steve Reimer:** He explained the make-up of the commission body. He believes the new mayor is interested in preserving the taxi industry.
- **Jane Bolig:** She does not believe S.F.T.A. has taken a position on this issue. Believes it is a good idea to have the taxi industry included with transportation. She questioned if the industry funds would be combined with the city general funds? Concerned about taxation without representation.
- **Peter Witt, Yellow Cab driver:** Requested clarification from the City Attorney regarding the effective date for transfer listed on the proposal. Recommended everyone who wants to keep the Commission in tact is urge to write the Board of Supervisors and the mayor.

6. STAFF REPORT

Kelly Castagnaro, Acting Executive Director: **1.** Sheemailed the Taxicab Forum to solicit involvement and participants to develop a working group that would study possible uses for the wrap fund monies, but did not receive any responses. She announced if anyone is interested in serving on a group regarding this fund, please call our office or email the Taxi Commission to express your interest in this issue. **2.** Requested suggestions for taxi stand locations be submitted to the Taxi Commission office. **3.** Per the request of Commissioner McGuire, she spoke with a Sergeant at Central Station today regarding the weekend closing of the Broadway Tunnel, and was informed that the tunnel was generally closed for about 20-30 minutes the last Friday of each month during Critical Mass between 6:30 -8:00 p.m. Additionally, the Sergeant said that due to problems with cruising and overcrowding in North Beach on the weekends, the tunnel was periodically closed on weekend nights due to safety issues. She will follow up with police staff to schedule a meeting to get further clarification on this issue.

PUBLIC COMMENT

- **Barry Taranto:** He announced the closure of Vallejo Street at Samsome. Suggested sending a letter to the Police Dept. regarding the North Beach closure. The public should not pay higher taxi fares in order to get to North Beach. Suggested scheduling this matter for the next hearing. Suggested making exception for cab drivers.
- **Ruach Graffis, UTW:** North Beach street closures has been a tremendous problem for cab drivers. It creates traffic problems on the neighboring streets. She states that United Taxicab Workers are willing to meet with S.F.P.D. to discuss the problems.
- **Tara Housman:** It is atremendous problem the North Beach traffic situation. There should be exceptions for taxicabs to enter the North Beach area. She states that police are telling their passengers to "get out and walk".
- **Thomas George Williams:** He shared his experience with the Broadway tunnel.

7. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner McGuire: Requested to calendar for discussion 1) the North Beach street closure. Taxicabs should be allowed access. 2) the implementation of the 800 hours driving requirement. When does it take effect? 3) What is the phone number for complaints? Requested the phone number be posted at all cab companies.

Commissioner Smith: Requested to calendar for discussion 1) the manager exemption. Prop. K medallion holders who manage their own companies to allow them to get credit on the 800 hours while running their companies. 2) Medallion holders be allowed to drive any vehicle and earn credit. 3) Consideration of giving hybrid vehicles the same life as given the London taxi. 4) the ramp taxi situation.

Commissioner Breslin: Welcomed Kelly Castagnaro as Acting Executive Director. Thanked Kelly for getting the work out about the biotech protest issues. 2) Recommended writing letters to Board of Supervisors regarding the taxi commission budget. 3) She will check with the hospitality industry about how they are affected by the restricted access of taxis at the Broadway Tunnel.

Commissioner Kwok: Requested anyone with suggestions for possible taxi stands locations to submit their ideas to the Taxi Commission office at (415) 554-7750 or email. He suggested the 700 block of Pacific Avenue for a taxi stand. Requested input for improving the ramp taxis program. Requested update on the limousine legislation.

Commissioner Gillespie: Requested City Attorney Owen for clarification on the 800 hours legislation. Requested to calendar a hearing on how to convey and implement the information about the legislation.

PUBLIC COMMENT

- **Peter Witt, Yellow Cab driver - 16 yrs.:** Urged all drivers and the public for input on possible taxi stands.
- **Laurie Graham, Yellow Ramp Taxi and Chair of Paratransit:** Encouraged the Commissioners to attend the ramp taxi oversight committee. The next meeting will be July 13, 2004, 1449 Webster Street, 11am - 1pm.

8. PUBLIC COMMENT

- **L. Harris:** She explained the complaint against her. Requested the Commission's assistance in settling a complaint against her at Luxor Cab Company.
- **Tara Housman:** The taxi industry subsidized paratransit every year. The paratransit broker is permitting MV Transportation to temporary operate a quasi taxicab business with city funds. Recommended changing the law so

taxicabs are not by law compelled to have a contract with the paratransit brokerage.

- **Robert Cesana, PDA:** Addressed Commissioner Kwok concerns about the possible legislation on transferability of permits. Re-enforced Commissioner Gillespie request about the 800 hours legislation. He believes the Commission has to send out an official document informing every driver and permit holders.
- **Peter Shu, Yellow Ramp driver:** Suggested if the Commission want to fix the ramp taxi program, he recommended talking to the drivers not to the companies. Suggested the Commissioners take a ride in a ramp vehicle. Ramp vehicles are not safe.
- **Lakew Melose:** He is on the medallion waiting list. Concerned about not receiving his medallion because he heard medallions were now going to be sold.
- **George England, Luxor Cab driver:** He cannot understand why the City, the Commission and Taxi Detail allow S.F. taxicabs to be in such deplorable condition. In favor of transferring to MTA because he believes the Commission has not been effective in dealing with the real issues of the industry.
- **Jane Bolig:** She is speaking as a member of the public not S.F.T.A. Requested assistance from the Commission regarding her son being struck by a hit and run taxicab. Recommended that all cab companies have a 24-hour live dispatch person on duty accessible to the public. Requested reporting reckless drivers to their companies.
- **Barry Taranto:** Wished everyone a happy 4th of July. Welcomed SEIU who is having an international convention at union hotels. Unfortunately, the drivers were not organized enough to protest at these hotels because of the doorperson treatment toward taxi drivers. MTA suggested a change in their fee structure for disabled person so that it benefits cab drivers by creating an incentive for people to take taxis. Thanked Kevin Lee for proposing to have vehicles towed away for parking in taxi stands. Questioned the status of the Castro Street taxi stand.
- **Peter Witt:** As a small businessman in the service industry it is vital to my business to know what my customers are thinking. It is vital to any successful business. Companies pay a lot of money to have surveys done for them. I do not think any company would turn down any free work done for them - any honest company that is. The survey that I have conducted is no joke commissioners. The data gathered this year along with the six years of history is no joke commissioners. You are the joke and the joke is on me. With all due respect, I have been stigmatized by this commission. I was indorsed by over 1,000 drivers and surveyed over 6,700 taxi customers. Which, I like to thank now especially one's who get car sick and filled it out anyway. Commissioners you along with Willie have completely re-shaped my way of thinking and made a believer out of me. I'm almost totally disenfranchised not.

9. HEARING AND PRESENTATION BY NICA INCORPORATED REGARDING TAXICAB INDEPENDENT CONTRACTORS INSURANCE NEEDS.

Commissioner Smith introduced NICA representatives.

Michael Manning and Dave Clifford, NICA Inc.: Gave presentation on independent contractors insurance.

PUBLIC COMMENT

- **Tara Housman:** Thanked NICA for informing the taxi industry of this service however, it is not a substitute for workers' compensation. More drivers and medallion holders need to know more about disability insurance.
- **Robert Cesana:** Thanked NICA for bring this proposition because it good to see alternatives. The policy in this city is that everybody has workers' compensation except owner operators. This is a great plan but only applies to owner/drivers nobody else.
- **Ruach Graffis, U.T.W.:** Suggested treading very carefully on this issue. She believes the City and Commission should not be getting involved with a particular company. She states our goal is to have all companies participating in an actual workers' compensation fund.
- **Jane Bolig:** She questioned why companies cannot afford workers' compensation. Yellow and Luxor Cab Companies are mandated to carry workers compensation, they would not qualify for this program. Suggested considering this program very carefully.
- **Peter Witt:** Does the industry want to lower their standard our raise them? He gave a personal example. -He said when talking about health insurance and workers' compensation suggested looking at the health of a driver and the safety of a customer if a driver has to drive while being sick.

11. ADJOURNMENT

Adjourned the meeting at 9:03 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

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PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

KELLY CASTAGNARO, ACTING DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

July 13, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

23
1
7/13/04

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the June 22, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Approval of Letter Outlining the Implementation of the 800-Hour Driving Requirement. [ACTION] (Letter from Acting Director)
9. Discussion and Possible Action on Proposition K Manager's Credit of Driving Requirement. [POSSIBLE ACTION]
10. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Rebah K. Abdelfatah	Salem Sh N. Alenaizan	Valdeme S. Alves	Rajeh A. Amer
George H.B. DaSilva	Welder F. DaSilva1	Reinaldo A. Diniz	Paul Erwin Douglas
Mourad Djermouli	Nabil Ennaqadi	Sergio W. Ferreira	Mien C. Hou
Jan Huptych	Anisim Krimnus	James T. Lathe	Jian H. Li
Nay Lin	Xiangjun Liu	David Manriquez	Mohamed N. Mohamed
Abdulsemed J. Muzo	Ronaldo M. Neves	Than Oo	Cyntia A. Paula
Juberto C. Rodrigues	Yevgeny Shaposhnikov	Pugman Sharma	Thiago Simonetti
Gernam Singh	George Stroup	Jagjit S. Wadhwa	Nikolaus Wendelsdorf

B. Recommendation of the Police Taxicab Detail for approval of a RampTaxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Tito E. Dziensuwski	9027	Luxor Cab

C. Hearing and Possible Approval of Reinstatement of Driver of Public Passenger Vehicle Permit to Raymond Deocareza.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the July 27, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
James M. Cortesos	*None*	*None*

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*Ras Desta*	*891*	*Arrow Cab to American Cab*
2.	*Linus Oha*	*9060*	*Luxor Cab to ABC Taxi*
3.	*Chad A. Rokeach*	*1199*	*National Cab to Metro Cab*
4.	*Abdul Shokoor*	*970*	*B & W Checker to Gold Star*
5.	*Edward Teper*	*844*	*B & W Checker to Alliance Cab*
6.	*David M. Wagner*	*1120*	*LuxorCab to Bay Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late requests will be honored if possible.
Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

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Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

July 13, 2004

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KELLY CASTAGNARO, ACTING EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

July 13, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Breslin; Kwok; McGuire; Paek; Smith

ABSENT: Gillespie

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:45 PM

STAFF IN ATTENDANCE: Acting Executive Director Kelly Castagnaro, Jimi Harris - Taxi Commission; Captain O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE JUNE 22, 2004 TAXICAB COMMISSION

Commissioner Breslin moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Breslin, Paek; Smith NOES: None

ABSENT: Gillespie, Kwok, McGuire

4. APPROVAL OF THE CONSENT CALENDAR

Commissioner Breslin requested to sever 4B of the consent calendar.

President Jackson requested to sever 4C of the consent calendar.

4A DRIVER PUBLIC PASSENGER VEHICLE

Commissioner Smith moved the approval of 4A of the consent calendar. Commissioner McGuire seconded the motion.

AYES: Jackson, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Gillespie, Kwok

4B Ramp Taxicab Medallion Holder permit

Commissioner Smith motion to approve 4B of the consent calendar. Commissioner Breslin seconded the motion.

AYES: Jackson, Breslin, Kwok, McGuire, Paek, Smith **NOES:** None

ABSENT: Gillespie

4C REINSTATEMENT OF DRIVER OF PUBLIC PASSENGER VHEICLE PERMIT TO RAYMOND DEOCAREZA.

Commissioner McGuire requested to continue this item until Vice President Gillespie returns.

PUBLIC COMMENT

· **Barry Taranto:** He questioned if Raymond Deocareza had fulfilled the requirements as set forth by the Commission. He requested a continuance.

5. STAFF REPORT

Kelly Castagnaro, Acting Executive Director: 1) She announced the hiring of Mr. Jimi Harris to the Taxi Commission Office as an 1840, Jr. Management. His legal background will be essential to the Taxi Commission. 2) Josh Hart, San Francisco Bike Coalition, thanked the Taxi Commission and cab companies for agreeing to install the "Look before you Leap" sticker to the inside of taxicab passenger doors. 3) On Friday, July 2, 2004, legislation to abolish the Taxi Commission and move its powers to the MTA was continued at the call of Supervisor Sandoval, Budget Committee Chair. The proposal was moved to the full Board of Supervisors without a Committee

recommendation , and will be heard for the first time by the full Board at next Tuesday's regular Board hearing.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar for discussion out-of-town taxicabs conducting business in San Francisco. He spoke with the City Attorney regarding developing workers compensation for independent contractors. Suggested if the program is developed there would be a need to establish a monitoring system of the program to ensure their policies stay in effect.

Commissioner Breslin: Requested a follow-up on the comment made at the last Commission hearing regarding all taxicab companies having a 24-hour live dispatch person on duty accessible to the public. She questioned if there is list on the Commission website of each cab companies with a contact person and their hours of availability. Requested to review a sample of the Bicycle Coalition "Look before you leap" sticker.

PUBLIC COMMENT

- **Ruach Graffis:** During her taxi classes she talks about the dangers of bicycle riders. She also has a bicycle courier to speak to the drivers as well. Suggested cab drivers have control over the cab doors, like in Japan where cab drivers push a button to open and close the doors.

- **Barry Taranto:** Commented on Commissioner Smith's important issue of workers compensation. He states making having workers compensation a requirement is wrong, especially since Yellow Cab is self-insured. He believes the SFTA is trying to form a workers compensation group. He believes there is a comparative disadvantage. Suggested being sensitive to the cost issue, especially if the medallion holder is not covered, but the driver is covered. The ten dispatch companies are supposed to have 24-hour live dispatchers available. Thanked Officer Fraizer for doing out-of-town taxi enforcement.

- **Peter Witt, native San Franciscan:** Welcomed to the Taxi Commission Kelly Castagnaro, as acting Executive Director and Jimi Harris. He believes there is a dispatch problem concerning the out-of-town taxis. Workers compensation should have been in effect five years ago. Suggested fines and/or revocation for not complying with workers compensation.

- **Hansu Kim:** Workers compensation is one of the top three main issues of the taxi industry. He believes it is an unfair playing field when it comes to cost with companies. Companies who do not carry workers compensation are able to solicit medallions from other companies that carry workers compensation. In order to create a fair competition all companies should carry workers compensation and/or be able to prove it.

· **Robert Cesana, PDA:** There is an in-town problem, MV paratransit vans are running passenger vehicles and picking up passengers. Taxi drivers are subsidizing the paratransit program, which is taking business away from the taxi industry. He suggested the Commission should agendized this item and investigate to find out the truth.

7. PUBLIC COMMENT

· **Jim Kennedy:** He showed the policy and procedures of DPT for citing taxicabs. He explained receiving a $50.00 parking ticket while dropping off a passenger at PacBell Park. DPT has a policy were they are supposed to give lead way to taxi drivers to be able to park in bus zones, etc.

· **Barry Taranto:** He announced this week the Electronic Convention is being held. The problem at the Moscone Center is the location for taxi stands. Passengers have to cross the street in order get a taxi. He is not in favor of the MTA merger. Suggested the Commissioners write letters to the Supervisors to help keep the Commission. President Gonzales wants to bar the right turn onto the freeway ramp at Octavia Blvd. He believes the hearing officer is violating the Commission rules by not providing information in a timely manner.

· **Peter Witt:** Limousines without TCP # or license plates should be cited. He questioned who is his representative. He believes he produced the best and only customer surveys for the industry.

· **Steven Kam:** He explained how his father, a medallion holder, had an insurance problem with a color scheme. He stated his father paid Royal Cab for liability insurance, but later found out the cab company's insurance policy had lapses.

· **George England, Luxor Cab:** He questioned why the industry does not promote taxi service in San Francisco. He believes it is ridiculous that drivers, while doing their jobs, are getting drive-away tickets at SBC Park. He suggested finding out if cab drivers are exempt from the seat belt law while driving in the city streets.

· **Carl Macmurdo, PDA:** He informed the Commission of Jim Nakamura's resignation as President from PDA. He announced his appointment as President of PDA.

· **Dominic Rodrigues:** He responded to the previous speaker's comments regarding insurance. He informed the Commission there was a law passed stating that if you buy insurance it must be from California. He suggested the cab stand should be located inside the Moscone Center.

8. HEARING AND APPROVAL OF LETTER OUTLINING THE IMPLEMENTATION OF THE 800-HOUR DRIVING REQUIREMENT.

Sergeant Vince Simpson, SFPD-Taxi Detail: Gave a summary of the implementation of the 800-hours.

Commissioner Breslin moved the approval of the letter as follows: Inform the drivers that there is a change to the regulations, Established a deadline date of Friday, July 16, 2004, for submitting specific suggestions to the Acting Executive Director, provide follow-up guidelines within a certain period of time. Commissioner Smith seconded the motion. Motion passes 6-0

AYES: Jackson, Breslin, Kwok, McGuire, Paek, Smith

ABSENT: Gillespie

- **Robert Cesana, Yellow Cab:** Suggested Taxi Detail should work with the Taxi Commission regarding time clocks for the cab companies. Recommended the name of the company should be printed on the time stamps. How will the audit take place?

- **Barry Taranto:** In favor of the 800-hour standard as an alternative to the 156 shifts. Concerned about the implementation. Suggested clarification before sending the letters out on how the 800 hours will be implemented. Recommended Taxi Detail should know in advance which standard the medallion holder chooses before the end of the year, the shifts or hourly. He questioned how many maximum hours will be allowed?

- **Peter Witt:** Long-term leaser should not have to change their shifts at the companies. He questioned how he could receive a ticket for having an incomplete waybill before he finished his shift.

- **George England:** He asked if it would be easier to eliminate the payments made to medallion holders. He believes with the 800 hours there will be more attempted of fraud than with the 156 shifts. Medallion holders should earn what they are paid. He suggested putting the responsibility on the medallion holder to prove they worked the 800 hours.

- **Hansu Kim:** The industry spends too much time worrying about who is driving and how much driving they are doing and if they are not driving to revoke their permit. The permits should be giving to committed working cab drivers and that is not the case right now. If the industry is going to be giving an 800 hours standard as a test to retain your permit, then there should be a standardization to ensure that people are driving the 800 hours. There are permit holders who are collecting the lease fees and believe that driving is secondary. He states there is sufficient technology to link A-cards with waybills.

· **Ruach Graffis, UTW:** She faxed a letter to the Taxi Commission office requesting to continue this item until Commissioner Gillespie returns because he represents the non-permit drivers.

· **Jim Kennedy:** He expressed a desire to drive the 800 hours but feels he is to old. He stated Pre-Prop. K permits holders do not have to drive. Thanked Naomi Little for implementing the disability proposal.

· **David Kiley, Luxor 840, PDA member:** Thanked the Commission for implementing the 800 hours driving standard. At Luxor Cab Company they have a computerized receipt they stamp as drivers enter and leave their shifts. The 800 hours is fair and flexible. Recommended looking into disability for senior drivers.

9. DISCUSSION AND POSSIBLE ACTION ON PROPOSITION K MANAGER'S CREDIT OF DRIVING REQUIREMENT.

Commissioner Smith presented this item.

This item is being continued.

PUBLIC COMMENT

· **Barry Taranto:** Suggested having a discussion on this item and to take action at a later date. The City Attorney letter states that mangers cannot be completely exempt from the driving requirement. Only the voters could approve of an exemption. The Commission differentiate "what is a manager" is it somebody that oversee cabs at a company, the hiring of the drivers, and running the company or it somebody that is just a head cashier or head dispatcher.

· **Peter Witt:** He suggested differentiate a manager from a driver. There are 1,381 managers, one manager for each taxi medallion. He estimated there will be 1,381 exempt drivers. Suggested letting a working cab driver use the medallion it would be in the best interest of the public and drivers.

· **Robert Cesana, PDA:** In a few years everybody will have a Post K medallion. The managers of cab companies are people who have made a commitment to the industry and are probably medallion holders. Suggested guiding the Board of Supervisors with a proposal stating any company with 25 cabs can have one manager, larger companies one manager for every fifty cabs. Suggested waybills that say manager on them, so you know who is claiming to be a manger and the audit committee would use it as the driving requirement.

· **Hansu Kim:** Suggested making it clear in the rules there is a standard for managers to be exempt or have credit from the driving requirement. Make sure this is not a loophole or something that could be taken advantage of. It is appropriate to

give a managers credit to legitimate managers who have given a lifetime service to the industry who now have a permit. Suggested continuing this item until Jane Bolig, former Commissioner and Manager at National Cab, could present her ideas.

· **George England, Luxor Cab:** He hopes the driver representative was present for this item. He questioned if managers were really managing. He suggested if managers are receiving a salary, they should give up the permit fee. Suggested no action should be taken at tonight hearing. Recommended managers in the business to talk about expanding the industry instead of ripping off cab drivers.

10. ADJOURNMENT

Adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

KELLY CASTAGNARO, ACTING DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

July 27, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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7/04

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the July 13, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Discussion on Possible Proposal to Reform Taxicab Permitting System. [DISCUSSION]
9. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Ahmed Z. Ahmed	Wenderson Alexanderino	Zakaria Chadly	Marcelo Cunha
Andrew Fong	Mehrdad Ghasseminejad	Kirk W. James	Oleg Kaushanskiy
Moncef Labaied	Aaron LaLonde	Raymond Lavin	Lat Maraw
Gregory Morlan	Erdjan Moustafa	Nereus Okwara	Eugene Pliner
Abram Shapiro	Patrick Weaver	Gilbert Yap	Lixin Yu
Kin Wai Yuen			

B. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	James M. Cortesos	753	Regents Cab

C. Recommendation of the Taxi Commission for approval of Color Scheme Changes to: (**Approval is conditional** upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the specific date of change and that such change be completed within **ten days** of Commission approval).

	Medallion Holder	Medallion #	Color Scheme
1.	Ras Desta	891	Arrow Cab to American Cab
2.	Linus Oha	9060	Luxor Cab to ABC Taxi
3.	Chad A. Rokeach	1199	National Cab to Metro Cab
4.	Abdul Shokoor	970	B & W Checker to Gold Star
5.	Edward Teper	844	B & W Checker to Alliance Cab

D. Hearing and Possible Approval of Reinstatement of Driver of Public Passenger Vehicle Permit to Raymond Deocareza. (Continued from 7/13/04) [ACTION]

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the August 10, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
None	*None*	*None*

COLOR SCHEME CHANGES:

Medallion Holder	*Cab #*	*Change*
1. Wing Seek Tse	*1128*	*DeSoto Cab to Bay Cab*
2. John V. Donnelly	*859*	*Luxor Cab to WorldWide Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

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Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late requests will be honored if possible.
Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-7750 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

July 27, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1

PAUL GILLESPIE, VICE PRESIDENT, ext. 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

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MIN PAEK, COMMISSIONER, ext. 6

MARTIN SMITH, COMMISSIONER, ext. 7

KELLY CASTAGNARO, ACTING EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

July 27, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Acting Executive Director Kelly Castagnaro, Jimi Harris, Sonya Banks - Taxi Commission; Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE JULY 13, 2004 TAXICAB COMMISSION

Commissioner Smith moved the approval of the minutes. Commissioner Kwok seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok; McGuire; Smith **NOES:** None

ABSENT: Paek

4. APPROVAL OF THE CONSENT CALENDAR

4A & B DRIVER PUBLIC PASSENGER VEHICLE AND TAXICAB MEDALLION HOLDER PERMIT

Commissioner Gillespie moved the approval of 4A and B of the consent calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek

VICE PRESIDENT GILLESPIE REQUESTED TO SEVER 4C2

4C COLOR SCHEME CHANGES

Commissioner Smith motion to approve 4C1, 3, 5 of the consent calendar. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, Smith
NOES: None

ABSENT: Paek
RECUSED: McGuire

4C2 COLOR SCHEME CHANGE FOR LINUS OHA

Commissioner Gillespie moved the approval of 4C2 of the consent calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith
NOES: None

ABSENT: Paek

4D REINSTATEMENT OF DRIVER OF PUBLIC PASSENGER VEHICLE PERMIT TO RAYMOND DEOCAREZA.

Sergeant Vince Simpson, SFPD-Taxi Detail gave a brief presentation. Not violated the terms of his court probation

Commissioner Smith moved the approval for reinstatement of Raymond Deocareza with the following condition: 1) that Mr. Deocareza do not violate any terms of his court probation. Commissioner Gillespie seconded the motion. Motion failed 3-3

AYES: Gillespie, McGuire, Smith
NOES: Jackson, Breslin, Kwok

ABSENT: Paek

Commissioner Breslin moved to revisit Mr. Deocareza case. Motion withdrawn.

4E SUSPENSION OF PERMIT #965 HELD BY PETER DELAPPE

Commissioner Gillespie moved the approval of a 3-week suspension for permit #965 held by Peter DeLappe. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek

PUBLIC COMMENT

· **Barry Taranto:** He stated 4C4 Abdul Shokoor has changed his decision to transfer to another color scheme. Concerned how the disabled community will be effected by 4C2 Linus Oha transfer.

· **Jim Gillespie:** Concerned about Linus Oha procuring his own workers compensation certificate and not using Luxor certificated to obtain approval to transfer to another color scheme.

5. STAFF REPORT

Kelly Castagnaro, Acting Executive Director: 1) On June 29, 2004, the Board of Supervisors passed an Ordinance adding violation of Section 39 of the San Francisco Traffic Code, which prohibits vehicles not authorized by the Chief of Police from standing in any taxicab stand, to the list of violations for which a vehicle may be towed pursuant to Section 71b of the San Francisco Traffic Code, Towing of Vehicles Obstructing the Normal Flow of Traffic. 2) The City Services Committee will be

holding a hearing on Wednesday, July 28, 2004 at 1:00 p.m. in Room 263, City Hall to hear public comment on the proposal to repeal Prop K and allow the issuance of transferability rights of these permits to taxi drivers, which we will be discussing during tonight's meeting. According to Budget Committee Chair Gerardo Sandoval's Chief of Staff, the legislation proposing to abolish the taxi commission is still pending in committee. The Supervisor has not introduced the legislation to the full board for consideration, and there is no meeting for the budget committee scheduled through the end of July. 3) On Wednesday, July 14, 2004 the San Francisco Board of Appeals denied Mr. Raymond Deocareza's request for jurisdiction regarding the revocation of his medallion. On October 20, 2004 a hearing is scheduled for the Board of Appeals to consider the appeal of Diane Cohen, whose medallion was revoked by the Taxicab Commission on June 8, 2004. 4) The Taxi Commission just received the ramp driver compliance report for the month of June on Monday, and we have given each Commissioner this handout to review.

Sergeant Vince Simpson, S.F.P.D.-Taxi Detail: The implementation of enforcement will begin once the taxi stand signs are posted. There will be five locations the first will be SBC Park and the other four are neighborhood stands. Questioned DPT about how taxi stand tow away would be enforced. When DPT receives a complaint, they will cite that vehicle and return within 15 minutes to ensure the vehicle has been removed, if the vehicle is still parked DPT will initiate the tow. By law if the owner of the vehicle returns the vehicle cannot be towed.

PUBLIC COMMENT

- **Barry Taranto:** Suggested sending a letter to the commander in charge of PCO's, stating which taxi stands are tow-away and will be monitoring closely. He often calls DPT notifying them of parked cars in taxi stands. He feels it is important that DPT do enforcement of taxi stands without being called. Suggested implementing the other taxi stands into tow-away. He stated Mr. Kennedy should not have received a ticket for doing his job.

- **Jean Michel Normand:** He would love the Commission to be more pro-active and create a efficient taxi stand system.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar for discussion and implementing of taxi stands. Requested a list by medallion number of ramp pick-up. Requested to calendar CNG fueling station. There are no trashcans or porter potty.

Commissioner McGuire: 1) Requested a calendar returning the disciplinary hearing to the Commissioners. She proposed having one hearing per month non-televised; 2) Requested a closed session to discuss the hiring of a new Executive Director; 3) Requested the status of the annual 1095 forms; 4) Received an article from the Wall Street Journal regarding donating cell phones, suggested the Commission look into.

PUBLIC COMMENT

· **Barry Taranto:** Commissioner McGuire brought up a serious issue. There is 1095 form that has not been turned in, he questioned why the permits have not been reissued. There are disciplinary cases still pending that need action. Commend Commissioner Smith for taking the ramp pick-up report seriously.

7. PUBLIC COMMENT

· **Robert Cesana:** Welcomed back Commissioner Gillespie. He questioned how the 800 hours would be implemented. Recommended having a meeting with DPT regarding passenger pick-ups.

· **Jean Michel Normand:** He feels the merge to MTA could be a wonderful move. Naomi Little was doing a tremendous job, but she moved to purchasing. Suggested integrating all public transportation.

· **Michael Callanan, Yellow Driver, 16 yrs.:** He asked the Commission is there anyway to expedite the process of getting sedan permits to eligible ramp drivers.

· **Jim Kennedy:** He is angry at the DPT process. He never received a warning. He wants DPT officer records investigated.

· **Barry Taranto:** He feels that DPT and the Police Officers think taxi drivers are "easy picking". Taxi drivers have enough to deal with without having to worry about getting tickets. Commended Taxi Detail for the undercover operation at the hotels. Welcomed the Hell Angels to San Francisco.

8. HEARING AND DISCUSSION ON POSSIBLE PROPOSAL TO REFORM TAXICAB PERMITTING SYSTEM.

Hansu Kim, Han Consulting Group: Gave a presentation of the proposal to reform permitting system.

Dave Perrill, Supervisor Gonzalez aide: Gave a presentation of the proposal to reform permitting system.

- **Zareh Soghikian, 25 yrs. Yellow Cab:** He feels it will be a windfall for medallion holders and still not improve the service in the city. Proposition K was designed to keep experienced driver driving. He believes it is not feasible and there are better ways under Proposition K.

- **Yale Feder:** Has been in the industry since 1981 and his name is on the waiting list. He feels betrayed by the proposal because it ignores the drivers on the waiting list. It must be a better way for the city to get money other than off the back of drivers who have worked many years.

- **Ketema:** Why does the first public hearing on the proposal is happening only ten days before the deadline. Suggested obtaining input from all drivers and he questioned what is the rush. He questioned what happens to ramp drivers?

- **Saam Aryan:** He spoke with many cab drivers regarding this rumor. Many cab drivers feel the system is flawed because it does not serve the public or cab drivers. The proposal does not fix everything. He provided the Commission with proposal that deal with the ramp and waiting lists.

- **Francoise Spiegelman, Yellow Cab, 1991:** Business has been down for the industry. As a mother, she cannot afford to go to the auction because the medallions will be price too high.

- **Melaku Girmn:** Suggested improving the system for fraud cannot happen. In the proposal there is nothing about purging the list. Suggested the only people who will benefit will be the financial institutions.

- **Thomas George Williams:** This proposal is similar to Proposition J from 1996. It will be a weird ballot measure for cabbies. He states healthcare, disability and retirement for drivers are not included within the proposal.

- **Mark Gruberg:** He objects to Hansu Kim's statement. There are allowable goals in the proposal. He believes the proposal fails in fairness. He believes there are better ways to achieve goals.

- **Jean Michel Normand:** Informed the Commission that Thomas George Williams wrote a proposal against the selling of medallions. The proposal is not good for the public and drivers. Proposition K has good intension but does not work. Suggested not following privatization like in New York.

- **Martin Kazinski, President of the Permit List Assoc.:** Informed the Commission this is a new organization created to preserve the interest of people on the waiting list. His organization objects to the proposal because of the secrecy. The organization requested meetings with Mr. Kim and Supervisor Gonzalez, who both refused. There is no time for meaningful input.

- **Matt Wetzel, 13 yr. Driver:** He believes the city would make more money over a five year period by renting the medallions and retain ownership. If the medallion were to be auction, everyone has a right to purchase a medallion.

- **Dan Hinds:** The drive until you drop approach, which Prop. K mandate is

not working. As medallion holder age more driver are facing this situation. This proposal give medallion holders a way out and give committed drivers a way end. He is in favor of the proposal.

· **Jim Templeton:** He believes the industry is about renting medallions. The medallions are the property of the City. He states all the previous speakers, want to do is protect the medallion holder and put money in their pockets. Suggested issuing medallions to one person, no leasing allowed so when the medallion holder works he could make a living.

· **Muhammad Alam:** He has been on the waiting list for 11 yrs. Cannot afford to bring his family to the United States. If he gets a medallion, he could afford to bring his family back with the proposal he cannot.

· **Robert Cesana, PDA:** He helped worked on proposition. He states in 25 years, 300 medallion changed hands. All other medallions on the street were created by the city and the city will not be creating any more medallions for a long time. He is favor of this proposal because it will give an exit and entrance strategy.

· **Barry Korengold:** Most drivers will not be able to afford to buy a medallion. Invited everybody who is concerned to show up at the public hearing tomorrow. He feels it is a scam and the only people who will benefit are the people who have medallions now, who can easily get loans and then sell off their medallions and get out. The proposal will benefit the people leaving the industry, the loan company and the city and the drivers will bring home less money.

· **Daniel Areils:** He has been driving for 16 years and his name has been on the waiting list for 12 years. He states if there is a problem with Proposition K, lets fix it. Suggested more time to debate this issue.

· **Ruach Graffis, UTW:** Appreciates having a public forum on this issue. She questioned why put debt into a industry that has no debt from the medallions. The driving requirement in New York is 210 shifts not 800 hours.

· **Imran Rehman, 11 yr. driver:** Drivers are not making enough money to pay back a $300,000 loan. Suggested if the city needs money to come up with another idea, not at the expense of his family.

· **Marian Zaouk:** Taxi drivers and dispatcher for 30 years. She questioned if there was a resolution for the proposal?

· **Paul Harting:** He is on the waiting list. Hansu Kim proposal means his number on the waiting list is no longer irrelevant and if he wants medallion you must pay $300,000. The intention of Proposition K was to encourage experienced drivers to be promote and this proposal destroys that effort.

· **Carl Macmurdo, PDA:** Commented on Ruach Graffis's comment. In New York the driving requirement is not enforced. He states in the proposal there is a transferability, which allow opportunity that is lacking in Proposition K. Supervisor Gonzales in his compassion ways has insisted that 50% of the funds goes into a driver fund. Which, will allow for financial and down payment assistance for successful auction bidders.

· **Gudu Abdulbaki:** Proposition K may have flaws, but it can be corrected section by section.

- **Elias Negash, Ramp Medallion Holder:** He has been driving 1995. Business has gone down. Confessed and concerned about the selling price of the medallions.

- **Barry Taranto:** Thanked the Commission, Hansu Kim and Supervisor Gonzalez for having this discussion. He feels Han Consulting Group is just trying to find a solution to the industry problems. He likes the idea but there are questions that need to be resolved. Suggest rewarding people who have spent their lives in the industry.

- **Mostafa Syed, Permit #179:** He shared an incident from his life. It is important to have health insurance. Suggested having a choice of entrance and exit. He supports the proposal.

- **George England:** He feels the proposal is a trouble idea. Proposition K does not say anything about leasing, medallion fee or pension, it talks about getting and driving a medallion. He suggested if anyone wants out they should sell their medallion for what they paid for it. Suggested phasing out the medallion fee.

- **Michael Spain:** He feels the problem with Proposition K is that permit were no longer going to be brought and sold, they would be given away. He suggested incentive the industry with the proposal.

- **Yossedek Desta:** He feels more time is needed. Suggested all taxi organization submit input for a proposal. Suggested corruption should be report to Taxi Detail and the waiting list should be destroyed.

- **Spanky Wood:** He put his name on the waiting list in 1993. He feel there is some good thing in the proposal, but there should be some other thing included like an entitlement list. Suggested senioritizing the list.

- **Elizabeth, New driver:** She would rather take her changes on the waiting list because she cannot afford the proposed bidding prices. Suggested thinking of other ways to solve the problems of the industry. She feels the proposal make medallion unattainable to almost all drivers.

9. ADJOURNMENT

Adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
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TAXICAB COMMISSION AGENDA
REGULAR MEETING

August 10, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

23
1
10/04

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the July 27, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Discussion of New Taxicab Rules and Regulations Amendments Pertaining to Ordinance # 111-04 Daly/Ma 800-Hour Legislation. (Memo) [DISCUSSION]
9. Hearing and Possible Approval of a Resolution in Support of a Proposed Legislation Requiring Taxicab Companies to Provide Worker's Compensation Coverage or Equivalent Private Insurance Coverage For All Drivers. (Proposed Legislation) [POSSIBLE ACTION]
10. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Timothy Ajaegbu	Abdulla Alowdi	Rezk Alshujaa	Marta Ayala
Ali Barakat	James Barton	Ali Chabane	Nelson Connor
Luis Constancio	Firehiwot Gebreegzabher	Toeman Gurson	Walter Howze
Jalal Kacimi	Helio Milhomem	Elton Moore	Fathi Nahali
Ugur Oncel	Danielle Perugini	Thavisab Pannavong	Nath Power
Jeffrey Rennie	Syed Shah	Abdenbi Soumbati	Abdelaziz Sultan
Hung Tang	Daise Vasconcelos	Nim Williams	Sebhat Yohanes
Thant Zin			

B. Recommendation of the Taxi Commission for approval of Color Scheme Changes to: (**Approval is conditional** upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the specific date of change and that such change be completed within **ten (10) days** of Commission approval).

	Medallion Holder	Medallion #	Color Scheme
1.	John V. Donnelly	859	Luxor Cab to WorldWide Cab
2.	Wing Seek Tse	1128	DeSoto Cab to Bay Cab
3.	David Wagner	1120	Luxor Cab to Bay Cab

C. Approval of Recommendations Submitted by Taxi Commission Hearing Officers.

1. Approval of 30-Day Suspension of Driver of Public Passenger Permit held by Omar Gonzales.[ACTION]

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the August 24, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
Khalil Jaser	*Paul S. Chiu*	None

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*Shahram Amirehsani*	*177*	*National Cab to Bay Cab*
2.	*Daniel T. Areda*	*9070*	*Regents Cab to Yellow Cab*
3.	*Mohsen Hassan*	*9063*	*B & W Checker Cab to Royal Taxi*
4.	*Thanh V. Nguyen*	*1075*	*Veterans Cab to B & W Checker Cab*
5.	*Franklin D. Nunley*	*757*	*SF Taxi Cab to Yellow Cab*
6.	*Charles P. Rathbone*	*916*	*Metro Cab to Luxor Cab*

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Taxicab Commission

August 10, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1

PAUL GILLESPIE, VICE PRESIDENT, ext. 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

MICHAEL KWOK, COMMISSIONER, ext. 3

MARY McGUIRE, COMMISSIONER, ext. 5

MIN PAEK, COMMISSIONER, ext. 6

MARTIN SMITH, COMMISSIONER, ext. 7

KELLY CASTAGNARO, ACTING EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

August 10, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Acting Executive Director Kelly Castagnaro, Jimi Harris, Sonya Banks - Taxi Commission; Lieutenant Jeanne Schlotz, Sergeant Vince Simpson - Taxi Detail

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE JULY 27, 2004 TAXICAB COMMISSION

Commissioner Smith moved the approval of the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith NOES: None

ABSENT: Kwok, Paek

4. APPROVAL OF THE CONSENT CALENDAR

Vice President Gillespie requested to sever 4B of the consent calendar.

Commissioner McGuire requested to sever 4C of the consent calendar.

4A DRIVER PUBLIC PASSENGER VEHICLE

Commissioner Gillespie moved the approval of 4A of the consent calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

4B Color Scheme Changes

Roger Cardenas, Manger at Bay Cab, responded to questions by the Taxi Commission.

Keith Raskins, Owner of Worldwide Cab, responded to questions by the Taxi Commission.

Commissioner Gillespie motioned to approve 4B of the consent calendar with the following condition because of the on-going worker's compensation issues, that medallion holders who are claiming they are single shifting that their roster/logs be checked on a monthly basis for three (3) months. Commissioner Smith seconded the motion. Motion passes 4-1

AYES: Jackson, Gillespie, Breslin, Smith **NOES:** McGuire

ABSENT: Kwok, Paek

PUBLIC COMMENT

- **Jim Gillespie, Luxor Cab:** He suggested that applicant provide a current worker's compensation certificates. He questioned if applicants claiming they are single shifting are required to have worker's compensation.

- **Barry Taranto:** He suggested scheduling a hearing before having a decision on items that are not on the agenda. He states the applicants that are going to Bay Cab have worker's compensation policies. The expert at State Fund on expediting taxi issues is Kevin Walt. Single shifting should not be an issue regarding color scheme changes. He has concerns regarding applicants' worker's compensation premiums who are requesting color scheme changes at the next commission hearing.

4C APPROVAL OF 30-DAY SUSPENSION OF DRIVER OF PUBLIC PASSENGER PERMIT HELD BY OMAR GONZALEZ.

Sergeant Vince Simpson, SFPD - Taxi Detail presented the case.

Sherry Gendelman, Attorney for Omar Gonzalez answered questions from the Commission.

President Jackson motioned to approve 4C of the consent calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:**

ABSENT: Kwok, Paek

5. STAFF REPORT

Kelly Castagnaro, Acting Executive Director: 1) Welcomed Ken Shis who is visiting San Francisco from the institute of transportation in TaiPei **2)** The annual Blessing of the Taxi Drivers will be held at St. Boniface Church, 133 Golden Gate Avenue, August 30, 2004, between 12:00 p.m. and 1:00 p.m. **3)** Raymond Deocareza has appealed the Taxi Commission's decision not to reinstate his A-card, Board of Appeals has not assigned a hearing date yet; the Board of Appeals has granted Diane Cohen and Jamie Yuen a rescheduled date of October 20, 2004 for their appeals; 4) The Taxi Commission final records regarding the filing of 1095 forms show that two (2) medallion holders were deceased; Taxi Detail is working on verifying one of those deaths with the Department of Public Health.

PUBLIC COMMENT

- **Mark Gruberg:** Informed the Commission that Lazar's case has been rescheduled to September 10, 2004. Commented on the Limousine Bill AB2591 moving forward in the right direction, but enforcement will be needed.

- **Barry Taranto:** The two medallion holders (369 and 378) who did not file their 1095 forms were both located at DeSoto Cab. Informed the Commission of the death of Domingo Opulencia, Luxor's permit holder. Suggested the Commission get involved with a signing ceremony with the Governor regarding the limousine bill to inform the public.

- **George England, Luxor Cab:** The limousine's illegal operation has been a problem for a long time. Limousines have managed to set up their own stands at every hotel.

· **Blake Derby, Permit #1092:** He states the regulation of limousines is a step in the right direction. Suggested enforcement at the Hyatt hotel on limousines that are parked on the sidewalk.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner McGuire: Requested to adjourn tonight hearing in the memory of Domingo Opulencia, Luxor Cab permit holder.

Commissioner Gillespie: Suggested calendar a hearing after the Limousine Bill has passed to work on implementing in the city. Suggested the Commission staff and the police department should work on developing a letter to be disseminate to all police officers explaining what the limousine law allows.

Commissioner Smith: Recommended installing taxi stands because drivers are receiving drive away tickets from DPT while picking up passengers. He suggested the two spaces behind bus stop should be designated cab zones. He states the limousine bill will not be enough because bars/restaurants are now calling limousines instead of taxis to pick up their customers. Requested a list of paratransit pick-ups by ramp permit numbers.

Commissioner Breslin: Would like to participate in the rulemaking of A.B.2591. Requested to hear the reported from Sergeant Simpson on the investigation of doormen at hotels requesting compensation. Many hotels have come into compliance. Thanked Sergeant Simpson for his work.

Sergeant Vince Simpson, SFPD-Taxi Detail: During the month of July, Taxi Detail did a two-day sting involving ten hotels listed by SFTA as problem hotels for door attendants demanding gratuity. During the sting there were only two incidents where doormen attempted to steer the customers to limousine/house car. There were no incidents of them demanding gratuity. The white zones at these hotel were also being monitor, there are still some hotels allowing limousines to park in their white zones. A report has been submitted to Commissioner Breslin and a further meeting to discuss enforcement of the white zones will be scheduled with DPT.

7. PUBLIC COMMENT

· **Barry Taranto:** He believes a two-day sting of ten hotels is not enough time to do an investigation. He asked do cab drivers have to give money to serve hotels? He states at some of the hotels that taxi drivers are being treated like stepchildren. Suggested Taxi Detail do enforcement at the ballpark because there are limousines and town car soliciting for fares. Suggested the Commission look into the rule requiring shift change at color schemes.

· **Mark Gruberg:** UTW opposed of the proposed ballot measure by Supervisor Gonzales that would have allows permit holder to sell the rights of their permits.

Suggested a list of priority for the Commission to work on: The limousine issues at hotels, health care for drivers, corporate permits - there has been no action yet and enforcement of the driving requirement for permit holders.

· **George England:** He suggested a reduction in the meter, gate and medallion fee needs to be address. Suggested attracting more customers into riding taxis. He believes that drivers should not to subsidize cab companies and permit holders.

· **Blake Derby:** He states that any driver who takes the cab driving business serious can make money. He states that the City owns the permits, so the City should be equally responsible for providing benefits to drivers.

· **Tara Housman:** She believes since business has been busy the doormen probably do not have the time to steer fares to the limousines. She attempted to have a police officer deal with an illegal limousine picking up in North Beach.

8. HEARING AND DISCUSSION OF NEW TAXICAB RULES AND REGULATIONS AMENDMENTS PERTAINING TO ORDINANCE # 111-04 DALY/MA 800-HOUR LEGISLATION.

· **Tara Housman:** She suggested instead of requiring 6 years of waybills, suggested retaining 3 years of waybills and a detail account of what days each driver drove for the full 6 years. She believes this would make it easier for Taxi Detail and drivers informed on how many shifts they have driven. Suggested the option of retaining 3 years of current waybills and retain the daily driver roster for 6 years.

· **Barry Taranto:** Suggested after reviewing the letter is should be sent out as soon as possible. He questioned what the education process is. He disagreed with the previous speaker. He thinks the waybills are needed as evidence to show they met the driving requirement. Questioned how the 800 hour standard will be implemented?

· **Mark Gruberg:** He suggested requiring duplicating copies of the waybills, one for the driver and the other for the company. Suggested verification and enforcement of the 800 hours driving requirement is needed.

· **Blake Derby:** He is speaking on behalf of company representatives. The law requires all drivers to keep waybills not only permit holders. Suggested an audit on lease driver's waybills. Out of fairness, he recommended imposing fines for not filling out waybills. Suggested making the educational requirement harder.

9. ADJOURNMENT

Adjourned the meeting at 8:18 p.m. in the memory of Domingo Opulencia.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
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KELLY CASTAGNARO, ACTING DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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August 24, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Pledge of Allegiance

2. Roll Call

3. Approval of the Minutes for the August 10, 2004 Taxicab Commission Meeting. [ACTION]

4. Approval of the Consent Calendar. [ACTION]

5. Staff Report

6. Taxi Commission Announcements and Request to Calendar Items.

7. Public Comment (Please limit public comment to items not on the agenda).

8. CLOSED SESSION ON ANTICIPATED LITIGATION
   a. Public comment on all matters pertaining to the closed session.
   b. Vote on whether to hold closed session to confer with legal counsel regarding threatened litigation relating to Veterans Taxicab Co. (SF Administrative Code § 67.10(d).) [ACTION]
   c. Conference with legal counsel in closed session. (CA Government Code §§ 54956.9(b)(1); SF Administrative Code § 67.10(d)(2).) One possible case as defendant.
      1. Proposed settlement: Veterans to surrender 4 of its corporate medallions on January 1, 2005, and 3 more corporate medallions upon the death of each remaining shareholder. [ACTION]
   d. Reconvene in open session:
      1. Possible report on action taken in closed session and the vote thereon. (CA Government Code § 54957.1(a)(3); SF Administrative Code § 67.12(b).) [ACTION]
      2. Vote to elect whether to disclose any or all discussions held in closed session. (SF Administrative Code § 67.12(a).) [ACTION]

9. Adjournment

CONSENT CALENDAR

A. Recommendation of the Taxi Commission for approval of Color Scheme Changes to: (**Approval is conditional** upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the specific date of change and that such change be completed within **ten (10) days** of Commission approval).

	Medallion Holder	Cab #	Change
1.	Shahram Amirehsani	177	National Cab to Bay Cab
2.	Daniel T. Areda	9070	Regents Cab to Yellow Cab
3.	Mohsen Hassan	9063	B & W Checker Cab to Royal Taxi
4.	Thanh V. Nguyen	1075	Veterans Cab to B & W Checker Cab
5.	Franklin D. Nunley	757	SF Taxi Cab to Yellow Cab
6.	Charles P. Rathbone	916	Metro Cab to Luxor Cab

B. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

Medallion Holder	Cab #	Color Scheme
Khalil Jaser	1181	Luxor Cab

C. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

Medallion Holder	Cab #	Color Scheme
Paul S. Chiu	9045	Yellow Cab Co-op

D. Approval of Final Decision by the Acting Executive Director Regarding Recommendation submitted by Taxi Commission Hearing Officer.

1. Approval of Revocation of Permit #760 Held by Yee Chiu.
2. Approval of Revocation of Driver Public Passenger Vehicle Permit held by Saul Kirchner.
3. Approval of 60-Day Suspension of Driver Public Passenger Vehicle Permit held by Boris Shamis.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the September 14, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
None	*None*	*None*

COLOR SCHEME CHANGES

	Medallion Holder	*Cab #*	*Change*
1.	*Salvador F. Rodriguez*	*379*	*Regents Cab to Royal Taxi*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Taxicab Commission

August 24, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1

PAUL GILLESPIE, VICE PRESIDENT, ext. 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

MICHAEL KWOK, COMMISSIONER, ext. 3

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KELLY CASTAGNARO, ACTING EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

August 24, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Jimi Harris - Taxi Commission; Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Suslow - Taxi Detail

- **PLEDGE OF ALLEGIANCE**

- **ROLL CALL - The Roll Call showed a quorum was present.**

- **APPROVAL OF THE MINUTES FOR THE AUGUST 10, 2004 TAXICAB COMMISSION**

Commissioner Gillespie motioned to approve the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Smith **NOES:** None

ABSENT: Kwok, McGuire, Paek

- **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Smith requested to sever item A4 of the consent calendar.

4B & C Regular Taxicab Medallion and Ramp Taxicab Medallion

Commissioner Gillespie motioned the approval of 4B and C of the consent calendar. Commissioner Smith seconded

the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

4D APPROVAL OF FINAL DECISION BY THE ACTING EXECTUTIVE DIRECTOR REGARDING RECOMMENDATIONS SUBMITTED BY TAXI COMMISSION HEARING OFFICER.

4D1 APPROVAL OF REVOCATION OF TAXICAB MEDALLION HOLDER PERMIT #760 HELD BY YEE CHIU.

Commissioner Gillespie motioned to approve revocation. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

4D2 approval of revocation of driver public passenger vehicle permit held by saul Kirchner.

Commissioner McGuire motioned to continue item until Mr. Kirchner is present. Commissioner Gillespie seconded the motion. Motion failed 2-3

AYES: Gillespie, McGuire **NOES:** Jackson, Breslin, Smith

ABSENT: Kwok, Paek

Commissioner Breslin motioned to approve the revocation. Commissioner Smith seconded the motion. Motion failed 3-2.

AYES: Jackson, Breslin, Smith **NOES:**
Gillespie, McGuire

ABSENT: Kwok, Paek

Commissioner Gillespie motioned to continue this item with recommendation of Mr. Kirchner meeting with SFPD before the next hearing. Commissioner Breslin seconded the motion.

4D3 APPROVAL OF 60-DAY SUSPENSION OF DRIVER PUBLIC PASSENGER VEHICLE PERMIT HELD BY BORIS SHAMIS.

Mr. Boris Shamis answered questions from the Commission.

Commissioner Smith motioned to revoke the Driver Public Passenger Vehicle Permit, suspend the revocation with a 60-day suspension with a 6-month probation thereafter. If there is a violation of the probation, revocation will be reinstated. Commissioner Gillespie seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek

PUBLIC COMMENT

- **Barry Taranto:** Needs clarification on whether or not Mr. Kirchner would undergo program to keep his A-card. Mr. Kirchner had a clean record before this incident. Would like the commission to get more information before making a decision of revocation against his A-card. #3) Mr. Shamis has gone to taxicab class 15 times. A 60-day suspension is not harsh enough. Suggested a 90-day suspension with a 3-year probation.

4A **COLOR SCHEME CHANGES**

4A1&3 SHAHRAM AMIREHSANI & MOHSEN HASSAN

Commissioner Gillespie motioned to approve color scheme change. Commissioner Kwok seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek

4A2 & 5 DANIEL T. AREDA & FRANKLIN D. NUNLEY

Commissioner Smith moved to approve color scheme change. Commissioner Kwok seconded the motion.

AYES: Jackson, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek
RECUSED: Gillespie

4A6 CHARLES P. RATHBONE

Commission Gillespie moved to approve color scheme change. Commission Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, Smith **NOES:** None

ABSENT: Paek
RECUSED: McGuire

4A4 THANH V. NGUYEN

Commissioner Gillespie motioned to approve the color scheme change with the following condition that the rosters and waybills be check every three (3) months. If at any time the permit, cease to operate as a single shifter or family relative, the permit is to be put out of service until the permitholder submit workers

compensation. Commissioner Breslin seconded the motion. Motion passes 4-2

AYES: Jackson, Gillespie, Breslin, Kwok **NOES:** McGuire, Smith

ABSENT: Paek

PUBLIC COMMENT

- **George England:** Questioned why are medallion holders changing companies. Is it for lower gates, better service, or better equipment?
- **Jane Bolig:** Speaking on behalf of S.F.T.A. She states the rules of the Commission is that transfers are prohibited to companies that do not carry workers compensation except if the permit holder is single shifting or if the permit holder use a relative as an alternative driver. She asked the Commission to reconsider this rule.
- **Gratchia Makarian:** States there is no law under State of California for medallion holders required to carry workers compensation insurance. Individual permitholders should have the choice on whether or not to carry workers compensation insurance and how to operate their own business. Commented on the Commission allowing permits to transfer to other companies that do not carry workers' compensation. Stated he was in the process of obtaining workers compensation insurance.

- **STAFF REPORT**

Inspector Farrell Suslow: **1)** Notification are being sent to all dispatch companies informing drivers of traffic disruption due to water main work on Mission Street. **2)** The annual Blessing of the Taxi Drivers will be held at St. Boniface Church, 133 Golden Gate Avenue, August 30, 2004, from 12:00 p.m.-1:00 p.m. The SFTA will provide box lunches to the first 130 attendees. **3)** The Taxi Commission has not received any participants to work on the Taxi Wrap Fund Working Group. If anyone is interested, please call (415) 554-7750. **4)** A-Card revocation will be on September 14, 2004. **5)** There were fourteen deceased medallion holders since January 2004. Two from joint tenancy (other partner still alive), four prior to the filing of the 1095 form, four during the filing of the 1095 form and four after the filing of the 1095 form.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Request to calendar a hearing on taxi stands. There are still a lot of parking tickets being issued. Requested a hearing on out of town taxis using

415 area code phone numbers. When calling information for a taxicab, operators are giving telephone numbers to out of town taxicabs. Suggested only those who show proof of permit to be allowed to list into phone book. Requested to adjourn tonight hearing in the memory of Robert J. Surrell, medallion #1201 of Big Dog City. Requested the ramp taxi pick up log be listed by medallion number.

Commissioner McGuire: Request to calendar a hearing on workers' compensation. She questioned if a closed session on the hiring of an Executive Director was scheduled.

Commissioner Gillespie: Request to calendar for discussion how notifications of deceased permitholders are received.

Commissioner Breslin: Suggested drivers should be informed of the City streets and landmarks. Suggested using the taxi wrap funds to educate drivers.

Commissioner Kwok: Echoed Commissioner Breslin's concerns regarding having a discussion on driver's knowledge of the City and possibly having regular map test. Maybe there should be an incentive.

Commissioner Jackson: Requested commission staff to invite a State Fund representative qualified to participate in the discussion of workers' compensation at the next hearing.

PUBLIC COMMENT

- **Barry Taranto:** Appreciates Commissioner Smith's request regarding ramp taxi pick-ups. Suggested a letter from Muni Accessible to the Paratransit Broker requesting the ramp taxi pick up be listed by medallion number instead of by driver. Apologized to Commissioner Breslin for drivers not knowing the city landmarks. He suggested the driver trainer needs to do a better job of training. He believes the decision tonight was unfair because everybody should have workers' compensation certificated in advance. He states it should not take six months to find out if a permit holder is deceased.
- **Jean Michel Normand, taxi driver since 1984:** He states that workers' compensation and taxi stands have been talked about for years at the Commission. Need a decent system for taxi stands, suggested larger signage. Recommended improving the taxi system.
- **Jane Bolig:** She states that the taxi schools are doing the best job they can under the circumstances, they only have four days to train taxi drivers. Suggested reconstructing the training to a work-study program. Drivers will have the opportunity to gain driving experience and then re-enter the classroom. She believes the taxi schools are doing a commendable job.

7. PUBLIC COMMENT

- **Carl Macmurdo, PDA:** Thanked S.F. Taxi Association, United Taxicab Workers

and everyone involved for helping pass the Mark Leno's Bill regarding limousines.

- **Tara Housman:** Informed the Commission of a robbery that happened in Las Vegas when a passenger tossed and lit flammable liquid on a cab driver. The cab driver died from his injuries. Asked all drivers to write their experiences and/or opinion about security cameras to Yvette More, Administrator, State of Nevada Taxi Authority or email to TripSheet@aol.com. Informed the Commission why the blessing of the cab driver is held.
- **Jean Michel Normand:** He states there will be no selling/buying of permits. Suggested fixing Proposition K to reward experienced driver. He proposed setting up a Commission to clean up the permit waiting list.
- **Victor Chang:** Since September 11th the economy has been slow. He suggested allowing taxis to remain in service for four years instead of three years.
- **Barry Taranto:** Suggested the Commission approval tonight on color scheme changes was unfair because an inappropriate workers' compensation document was used. The Commission should not require a certificate upon application of a color scheme change. Limousines are occupying and soliciting fares at the SBC Park taxi stand. Notices regarding traffic issues need to be distributed to drivers.
- **Tone Lee:** Thanked the Commission regarding CNG at the airport. Suggested taxis should be allowed to remain in service for five years.
- **George England, Luxor Cab:** Asked if the Commission rules already allow for taxi's to remain in service for four years. Suggested calendaring a discussion on lowing the gate fees. Drivers should not have to work ten hours days at minimum wage.
- **Mark Gruberg:** Discussed information from the hearing officer report that stated a permit holder had not turned in waybills for three years. Suggested that taxi companies should report when permit holders are not fulfilling their requirements. Suggested a reporting requirement be established.
- **Avtar Singh:** Requested the life of taxis be four years instead of three years. At hotels, the airport fares are given to the limousines. He complained about out of town taxis working illegally in San Francisco.

8. CLOSED SESSION ON ANTICIPATED LITIGATION

President Jackson granted a continuance of the closed session until the next Commission hearing.

PUBLIC COMMENT

- **Martin Kazinski:** Opposed to the settlement between the City and Veterans Cab Company. He states he is surprised the Commission is negotiating with Veterans because it sends the wrong message to other permitholders that are operating illegally. He states the Veterans case should be decided on by the courts.

9. ADJOURNMENT

Adjourned the meeting at 8:30 p.m. in the memory of Robert J. Surrell.

Respectfully submitted,

Sonya Banks, Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4
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TAXICAB COMMISSION AGENDA
REGULAR MEETING

September 14, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

F
23
1
1/14/04

1. Pledge of Allegiance

2. Roll Call

3. Approval of the Minutes for the August 24, 2004 Taxicab Commission Meeting. [ACTION]

4. Discussion with State Fund Insurance Representative on Workers' Compensation. [DISCUSSION]

5. CLOSED SESSION ON PUBLIC EMPLOYMENT/HIRING
   a. Public comment on all matters pertaining to the closed session
   b. Vote on whether to hold closed session pursuant to CA Government Code § 54957 and SF Administrative Code § 67.10(b) [ACTION]
   c. Closed session pursuant to CA Government Code § 54957 and F Administrative Code § 67.10(b). Nomination of candidate(s) (To the Mayor) for appointment as Executive Director of the Commission. [DISCUSSION AND POSSIBLE ACTION]
   d. Reconvene in open session:
      A. Possible report on action taken recommending nomination of candidate(s) for appointment as Executive Director. [ACTION]
      B. Vote to elect whether to disclose any or all discussions held in closed session (SF Administrative Code § 67.12(a).) [ACTION]

6. Approval of the Consent Calendar. [ACTION]

7. Staff Report

8. Taxi Commission Announcements and Request to Calendar Items.

9. Public Comment (Please limit public comment to items not on the agenda).

10. CLOSED SESSION ON ANTICIPATED LITIGATION
    a. Public comment on all matters pertaining to the closed session.
    b. Vote on whether to hold closed session to confer with legal counsel regarding threatened litigation relating to Veterans Taxicab Co. (SF Administrative Code § 67.10(d).) [ACTION]
    c. Conference with legal counsel in closed session. (CA Government Code § 54956.9(b)(1); SF Administrative Code § 67.10(d)(2).) One possible case as defendant.
        A. Proposed settlement: Veterans to surrender four (4) of its corporate medallions on January 1, 2005, and three (3) more corporate medallions upon the death of each remaining shareholder. [ACTION]
    d. Reconvene in open session:
        A. Possible report on action taken in closed session and the vote thereon. (CA Government Code § 54957.1(a)(3); SF Administrative Code § 67.12(b).) [ACTION]
        B. Vote to elect whether to disclose any or all discussions held in closed session. (SF Administrative Code § 67.12(a).) [ACTION]

11. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Toufik Abderrahmani	Mahmood Akhter	Anwar Albadani	Abdulroda Alkhazeli
Issam Albadani	Leidemar Alcantara	Binyam Alemu	Sumair Arif
Younes Asslam	Taqi Ayesh	George Badra	Aleksandr Bagdasarov
Narayan Ban	Ricardo Beeny	Rabah Bouteldja	David Bryant
Georges Chdid	Tse Hoi Cheung	James D'Amour, II	Vladimir Djamgarov
Sergey Dudkin	Taren Elagel	Ahmed Elkady	Amani Elsherbini
Denner Flores	Manuchar Galustyan	Michael Ghebremichael	Ratan Ghosh
Richard Hanrahan	Kenneth Ho	Larry Hoe	Kenney Hui
Harold Hunter	John Hynes	Mohammad Jan	Mazharuddin Kadri
Kjaafar Khabouza	Kynan Kourday	Carl Lee	Mohammed Mamdouhe
Yahane Mandel	Joseph Marasco	Shahzad Masood	Vyacheslav Meresiy
Gennadiy Molodetskiy	Daniel McHugh	Osman Naimyar	Ifemnacho Ojukwu
Massimo Raolini	Honan Peixoto	Brian Piekiel	Bhim Rai
Alexandre Rocha	Carvilo Rodrigues	Andrei Romanenko	Hamdy Said
Toshiyuki Saizaki	Salauddin Shaikh	Ang Sherpa	Hayel Shoubaki
Abdo Shrooh	Sameh Taher	Kevin Tran	Ky Truong
John Turner, II	Osmar Vieira	Benjamin Valis	Daniel Woldemichael
Hong Yu			

B. Recommendation of the Taxi Commission for approval of Color Scheme Changes to: (**Approval is conditional** upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the specific date of change and that such change be completed within **ten (10) days** of Commission approval).

	Medallion Holder	Cab #	Change
1.	Salvador F. Rodriguez	379	Regents Cab to Royal Taxi

C. Recommendation of the Taxi Commission to revoke the following Driver Public Passenger Vehicle permits for failure to pay the required annual license fee in accordance with Municipal Police Code § 2.17. (Complete list available at the Taxi Commission, Taxicab Detail and at the Hearing)

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

Special 10-Day Notice of Taxi Commission Rule Change for September 28, 2004 Taxi Commission Meeting

1. Proposed Language Regarding Amendment to the Rules and Regulations pursuant to subsections (f) and (g)(iii) of Section 1121 of the San Francisco Police Code, recently amended by the San Francisco Board of Supervisors.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the September 28, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
Daryoush Amirehsani	*Mekonnen T. Zere*	*None*
Michael Callanan		
Steve Gee		
Peter Sword		

NEW DISPATCH:
Sunset Cab Dispatch

COLOR SCHEME CHANGES

	Medallion Holder	*Cab #*	*Change*
1.	*Thomas Ferris*	*961*	*Arrow Cab to Yellow Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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Taxicab Commission

September 14, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1

PAUL GILLESPIE, VICE PRESIDENT, ext. 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

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KELLY CASTAGNARO, ACTING EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

September 14, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; McGuire; Smith

ABSENT: Kwok, Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:35 PM

STAFF IN ATTENDANCE: Sonya Banks, Jimi Harris - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

- **PLEDGE OF ALLEGIANCE**

- **ROLL CALL - The Roll Call showed a quorum was present.**

- **APPROVAL OF THE MINUTES FOR THE AUGUST 24, 2004 TAXICAB COMMISSION**

Commissioner Gillespie motioned to approve the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

PUBLIC COMMENT

- **Peter Witt:** He questioned the accuracy of the minutes from June 22, 2004. He stated that words were replaced from his original comments.

PRESIDENT JACKSON REQUESTED TO HEAR ITEM #6 NEXT.

6. APPROVAL OF THE CONSENT CALENDAR

Commissioner Gillespie motioned to approve 6A, B and C of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

- **DISCUSSION WITH STATE FUND INSURANCE REPRESENTATIVE ON WORKERS' COMPENSATION.**

Mr. Aaron Davis, Manager, State Fund Underwriting Policy: He gave a brief presentation.

PUBLIC COMMENT

- **Jim Gillespie:** He suggested requesting State Fund to list medallion numbers on the policy. He explained Luxor's workers' compensation policy procedures.
- **Mark Gruberg:** Suggested the Commission should require more detail information not only on the question of workers' compensation but also on the relationships that exist between companies, permits and drivers for each taxi in the city. Suggested a quarterly report in which companies would list for each taxi if they carry workers' compensation, policy #, who is carrying it, a copy of the policy, is the cab single shifted and what is the leasing arrangement. Informed the Commission that the paratransit broker receives workers' compensation certificates from State Fund to ensure the paratransit requirements are being met.
- **Barry Taranto:** Thanked Aaron Davis for coming. He suggested getting a statement from Kevin Wold whom is very helpful and knowledgeable. Suggested the Commission ask State Fund to provide policies that list the vehicle and medallion number that are on the cover on the policy on a yearly basis.
- **Peter Witt, Yellow Cab:** He appreciated Commissioner McGuire's dedication on this issue but this has been her pet project 5 years ago. He questioned who is liable the city, the company or the Commission. He states the Commission approved a color scheme change that may have had a fraudulent policy.
- **Robert Cesana:** He thought the reason for this discussion was to clarify the issue of a permit holder who drives his own cab needs workers' compensation. He believes that at Yellow Cab everybody is covered by workers' compensation. He suggested sending a letter to State Fund though the City Attorney for further clarification.

- **CLOSED SESSION ON PUBLIC EMPLOYMENT/HIRING**

7:45 p.m. Commissioner Smith motioned to enter into closed session. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

9:25 p.m. returned from closed session. Commissioner Gillespie motioned to return from closed session and not to disclose any or all discussions held in closed session. Commissioner McGuire seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

PUBLIC COMMENT

- **Barry Taranto:** The Commission has a very important discussion tonight. He wished the Commission would have held a workshop to discuss what type of candidate is needed. He recommended the next Executive Director have legal background. He suggested making a decision by the next Commission hearing of the candidates to be forward to the Mayor office.
- · **David Pipel:** He expressed the extreme importance of forwarding names and selecting an Executive Director.

7. STAFF REPORT

There was no staff report.

8. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS.

This item is being continued until the next Commission hearing.

9. PUBLIC COMMENT

- **Thomas George Williams:** Taxi drivers have watched limousines and doormen steal their fares, that is why he founded "Cabbie Intelligent and Action Service". He questioned the democracy on why a public Commission meet in a backroom.
- **Barry Taranto:** He stated that Sayed Hashemipour will be informing the Commission of an assault that happen to him and how the police turned on him. He stated the police officer said "you rip people off, that's what you do for a living". He stated that officer should be on administrative duty for that comment He suggested 1) improving the image and training of taxi drivers, and 2) how to educate police to understand taxi driver responsibilities. He offered to pay an additional $5.00 for his A-card renewal if the city would match that amount for an additional officer on the streets to deal with the problem of limousines and out-of-town taxis. The 49ers changed their procedures he suggested better communication on informing taxi drivers on how to pick-up in these locations.
- **Sayed Hashemipour:** He explained how he was a victim of an assault and battery and how the police officer faulted him and gave him a ticket to appear in court. He believes the action of the police officer was racial and the police officer twisted his words in the report. He would appreciate the Commission's help to ensure the rights and safety of taxi drivers are not violated.
- **J. Castillo, driver 16 years:** He stated that some drivers fail to report these types of incidents. He questioned if the Commission had any plans on how to avoid these types of incidents. He stated that drivers are always faulted and suggested that passengers who falsely accused drivers should receive misdemeanor charges.
- **Mark Gruberg:** He states the driver in this case sounds creditable and believes the police in this case was extremely unfair. He states when there is a dispute between drivers and passengers the police usually take the passenger side. Suggested some educational process should take place for police officers. He feels it is unfair to have the Veteran's case at the end of the agenda because most drivers who came to speak could not wait.
- **Peter Witt:** He believes the police officer chose the wrong words. The officer also gave a job and racial profile and filed a false police report. He believes the Commission's failures far out weigh their success. Deception is not reform failure to act in a timely manner is neglectgent of duty. He asked the driver representatives after 5 years were they ready to step down and let someone else take over.
- **Barry Korengold:** He believes the security camera photos should be downloaded in the case of Sayed Hashemipour. He is offended by the agenda set-up and suggested the next big agenda item should not be put at the end because drivers cannot wait around.
- **Jean Michel Normand, Cab driver:** He explained a similar incident that happened to him (Sayed Hashemipour incident), but he did not report it. Taxi drivers have a terrible image and a bigger problem when police go against them. He believes the police are on the edge (because of gangs, etc) and taxi drivers are easy targets. He recommended a policy be put in place for the police department for a peaceful city.

- **10.CLOSED SESSION ON ANTICIPATED LITIGATION**

10:25 p.m. Commissioner Gillespie motioned to move into closed session. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

11:25 p.m. Commissioner Gillespie motioned not to disclose any or all discussion held in closed session. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

This item is being continued at the call of the chair.

PUBLIC COMMENT

- **Zareh Soghikian, 20 years driver:** He questioned why does Veterans Cab still have corporate permits. He questioned why does these permits continued to be issue to Veterans. He suggested within a 3-year period all the corporate permits should be returned to the city.
- **Jean Michel Normand:** He states he is not a lawyer but he is an educated person. He states there was a left wing message that stated do not trust taxi companies but give permits to the little guy. He questioned how could Veterans make a deal with the city when the city owns the permits.
- **Barry Taranto:** Congratulated Sonya Banks on keeping her job. He believes the Commission did not receive enough information to make a decision tonight. Mark Gruberg prepared an extensive document showing the history of this case. His concerns were why the city attorney's office did not do any negotiating. He suggested letting Veterans keep one or two permits and return eleven permits over a 2-year period. He states the Commission's job is to not make these people rich but to do what the law says and do what is fair for everybody.
- **George England, Luxor Cab:** He states he does not have all the details but in line with the Yellow and Luxor corporate permit settlements the Veterans settlement is way out of line. It seems there were no negotiations and he suggested letting this case go before the court. This is unfair and unreasonable. Recommended rejecting the offer and to negotiate a little

more. He suggested that further review is needed.

- **Mark Gruberg:** He urged the Commission to reject this settlement offer. He quoted from Quentin Kopp the author of Proposition K. The primary purpose of Proposition K was to place permits in the hands of working cab drivers. Under this settlement, permits will not be in the hands of working cab drivers for a decade or more. He believes this settlement does not measure up. He states the Yellow and Luxor were given three years to return their permit while Veterans will have thirty or fifty years to return their permits.
- **Peter Witt, Yellow Cab driver:** Thanked Mark Gruberg for speaking on behalf of taxi drivers who do not have the ability to sue the city. He believes these permits are being held illegally. He states Veterans held on to these permits because nobody was there to stop them. He states he is close to receiving a permit although he has never asked where his name is on the waiting list. He questioned why audits are not performed yearly for permit holders.
- **Barry Korengold:** He urged the Commission to dismiss this proposal. Veterans have had these permits for 26 years, more than 10% of the stock has changed hands. He believes the shareholders are earning more than $200,000 a year. Mark Gruberg's report is good. He states the 25 permits should not stay in the hands of non-drivers. He recommended this item not be held in closed session.
- **Ruach Graffis:** The Commission had an example tonight of how police disrespect cab drivers. This settlement is another example disrespecting drivers. She asked if the Commission was aware of the history of Veterans before Mark Gruberg's brief. She questioned the correct name of a Veteran shareholder. At United Taxicab Worker's the issues are for the working drivers. She recommended moving the permits to the people who work and desire them.
- **Wayne Canterbury, Lawyer Representing Veterans Cab Company for 20 years:** Veterans has held 25 corporate permits since 1946. Veterans has won all challenges from opponents except one. He urged the Commission to read a letter provided in May 15, 2003 attempting to provide history on this case. It dispels most of the objections heard at tonight's hearing. Mark Gruberg made an effort to trace the history and summarize the holding of the Police Commission and Board of Appeals but in Veterans case, he simply got it wrong.

9. ADJOURNMENT

Adjourned the meeting at 11:35 p.m.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

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TAXICAB COMMISSION AGENDA
SPECIAL MEETING

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September 24, 2004 at 10:00 a.m.
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1. Pledge of Allegiance

2. Roll Call

3. CLOSED SESSION ON PUBLIC EMPLOYMENT/HIRING: Executive Director, Taxi Commission
   a. Public comment on all matters pertaining to the closed session
   b. Vote on whether to hold closed session pursuant to CA Government Code § 54957 (b)(1) and SF Administrative Code § 67.10(b) [ACTION]
   c. Closed session pursuant to CA Government Code § 54957 (b)(1) and F Administrative Code § 67.10(b). Nomination of candidate(s) (To the Mayor) for appointment as Executive Director of the Commission. [DISCUSSION AND POSSIBLE ACTION]
   d. Reconvene in open session:
      A. Possible report on action taken recommending nomination of candidate(s) for appointment as Executive Director. [ACTION]
      B. Vote to elect whether to disclose any or all discussions held in closed session (SF Administrative Code § 67.12(a).) [ACTION]

4. Adjournment

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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

KELLY CASTAGNARO, ACTING DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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September 28, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

23
28/04

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the September 14, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda).
8. Hearing and Possible Approval of a Resolution for Proposed Language Regarding Amendment to the Rules and Regulations pursuant to subsections (f) and (g)(iii) of Section 1121 of the San Francisco Police Code, recently amended by the San Francisco Board of Supervisors. (Proposed Amendment) [ACTION]
9. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Daryoush Amirehsani	378	Luxor Cab
2.	Michael Callanan	1297	Yellow Cab
3.	Steven Gee	869	Regents
4.	Peter Sword	217	Yellow Cab

B. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Mekonnen T. Zere	9028	Yellow Cab Co-op

C. Recommendation of the Taxi Commission for approval of Color Scheme Changes to: (**Approval is conditional** upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the specific date of change and that such change be completed within **ten (10) days** of Commission approval).

	Medallion Holder	Cab #	Change
1.	Thomas Ferris	961	Arrow Cab to Yellow Cab

D. Approval of Final Decision by the Acting Executive Director Regarding Recommendations submitted by Taxi Commission Hearing Officers. (Continued from 08/24/04)

1. Approval of Revocation of Driver Public Passenger Vehicle Permit held by Saul Kirchner.

E. Discussion and Possible Approval of Taxicab Wrap Color Scheme to be effective October 26-December 31, 2004. Applicant is Luxor Cab Company Medallion Nos. 109, 123, 708, 823, 916, 934, 974, 1214, 1255, 1267. The Color Scheme Wrap Advertiser is Tanqueray Gin.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

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TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
None	*None*	*None*

COLOR SCHEME CHANGES

	Medallion Holder	*Cab #*	*Change*
1.	*Jamshid Eslam Khajvandi*	*481*	*Yellow Cab to Luxor Cab*
2.	*Stephen Craig Webb*	*804*	*Veterans Cab to Big Dog Cab*

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
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Taxicab Commission

September 28, 2004

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

September 28, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Paek; Smith

ABSENT:

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Kelly Castagnaro, Sonya Banks, - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson - Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL - The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE SEPTEMBER 14, 2004 TAXICAB COMMISSION**

Commissioner Smith motioned to approve the minutes. Commissioner Paek seconded the motion.

AYES: Jackson, Gillespie, McGuire, Paek, Smith **NOES:** None

ABSENT: Breslin, Kwok

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner McGuire requested to sever A3 and 4F of the Consent Calendar.

4A1 **Commissioner Smith motioned to approve 4A1 Daryoush Amirehsani of the Consent Calendar. Commissioner Gillespie seconded the motion.**

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok

4A2, 4 **Commissioner Smith motioned to approve 4A2 Michael Callanan and 4A4 Peter Sword of the Consent Calendar. Commissioner Breslin seconded the motion.**

AYES: Jackson, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok
RECUSED: Gillespie

4A3 **Commissioner Smith motioned to approve 4A3 Steven Gee of the Consent Calendar. Commissioner Breslin seconded the motion.**

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith
NOES: None

ABSENT: Kwok
RECUSED: None

PUBLIC COMMENT

· **Barry Taranto:** He congratulated the other three applicants on receiving their permits. He had concerns about Steven Gee's waybills, his cell phone and his full-time job. He suggested further investigation.

· **Steven Gee:** He stated that his cell phone contract is under his sister's name, and that she lives in the Contra Costa area. He explained how he fills out his waybills. He answered questions from the Commission.

4B1 **Commissioner Smith motioned to approve 4B1 Mekonnen T. Zere of the Consent Calendar. Commissioner Paek seconded the motion.**

AYES: Jackson, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok

RECUSED: Gillespie

4C1 **Commissioner Smith motioned to approve 4C1 Thomas Ferris of the Consent Calendar. Commissioner Paek seconded the motion.**

AYES: Jackson, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok
RECUSED: Gillespie

4D1 **This item is being continued (Saul Kirchner).**

4E **Commissioner Breslin motioned to approve 4E Color Scheme Wrap Advertiser. Commissioner Smith seconded the motion. Motion passes 5-2**

Sergeant Vince Simpson, SFPD-Taxi Detail: Recommended the advertisement wrap be the same color lettering as the ad for the public can see better identification of the cab.

AYES: Jackson, Breslin, McGuire, Paek, Smith
NOES: Gillespie, Kwok

ABSENT: None
RECUSED: None

PUBLIC COMMENT

- **Benjamin Scott, London Fleet:** Answered questions from the Commission.

- **Barry Taranto:** He had concerns about the alcohol advertising wraps on taxicabs. He believes it is tasteless.

4F **Commissioner Kwok motioned to approve 4F with a review in 90 days to check if Sunset Dispatch is in compliance. Commissioner Breslin seconded the motion. Motion passes 5-2**

Francisco Escobar, Sunset Dispatch: He explained and answered questions from the Commission.

AYES: Gillespie, Breslin, Kwok, Paek, Smith **NOES:** Jackson, McGuire

ABSENT: None
RECUSED: None

PUBLIC COMMENT

Barry Taranto: He is concerned that there are no guidelines set up. He finds it usual to start a dispatch company without cabs, medallions and a FCC license number listed. He believes a dispatch company needs a certain amount of taxis.

5. STAFF REPORT

Kelly Castagnaro, Acting Executive Director: 1) A meeting will be held with State Fund Representatives on September 29, 2004 at 12:00 p.m. to ensure that proper Workers' Compensation documents are being accepted. **2)** Sergeant Simpson will report on the robbery suspect in the crime bulletin that was handed out tonight.

Sergeant Vince Simpson, SFPD-Taxi Detail: On August 21, 2004, the suspect entered the cab at 6th and Bryant Streets. The suspect then began to strangle the taxi driver and demanded money. The taxi was towed and the security camera images were downloaded. Inspector Morimoto of Robbery Detail published and disseminated the crime bulletin to the district stations and the sheriff's department. The robbery suspect was booked into custody yesterday.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar a meeting with DPT and MTA regarding taxi stands. He requested the ramp pick-up list be prepared by medallion number not by drivers. Recommended an investigation be done on redeeming credit card purchases.

Commissioner McGuire: Requested to review SFPD guidelines for downloading images from the security cameras.

Commissioner Gillespie: Thanked SFPD and Inspector Morimoto for catching the robbery suspect. Suggested Inspector Morimoto introduced himself to the Commission. He would like to follow-up on the workers' compensation meeting with Director Castagnaro. He suggested adding the medallion number to the ramp pick-up list. Requested to calendar for discussion on October 26, 2004, the taxi industry's plan to be a part of the city goal of reducing carbon dioxide omissions that was introduced in the Climate Action Plan by Mayor Newsom. He will be taking part of a demonstration on the new hybrid electric vehicle at the Presidio on October 14, 2004, and urged other interested parties to sign up.

PUBLIC COMMENT

· **Barry Taranto:** The taxi stand at Church and 24th Street has disappeared. Muni Inspectors are parking in taxi stands. He urged to paratransit broker to require the taxi companies to list the drivers by medallion number. He states there is a 10% fee being charge for credit card payments. Suggested a flyer be distributed about the October 14th event.

· **Ruach Graffis:** She informed the Commission of a law that was passed by the Board of Supervisors stating that cab companies could not charge a fee for redeeming paratransit scrip and credit cards.

7. PUBLIC COMMENT

· **Alec Kaplan:** He was offered a ramp permit and took a time waiver in order to fulfill the requirement, however after fulfilling the requirement there were no permits available. Now, he is being offered another ramp permit but he does not have enough ramp taxi pick-ups.

· **Barry Taranto:** It is difficult to pick-up passenger after the 49er games. He suggested better communication. He did some research and discovered one of the candidates for Executive Director is related to a Commissioner. He asked if this information was disclosed prior to the meeting. He believes this is a serious topic.

· **Mark Gruberg, UTW:** Thanked everyone involved with helping pass AB2591 (the Limousine Bill). The Bill will take effect in January 2005. There will be an increase in penalties for operating limousine or taxi without a permit.

· **Tone Lee:** He requested that taxicabs operate for an extra year since the economy is bad. He believes this would save money. He recommended a fee be established for the extra year of service.

· **Ruach Graffis, UTW:** She supports Tone Lee's comments on asking for an extra year. She discussed the high price of gasoline. Cab companies are receiving extra money for the wraps. Drivers need your help because they are suffering.

· **Melaku Gikma:** He is confused about the ramp list procedure. He

explained how he thinks the ramp procedure works. He discussed Alex Kaplan situation. He believes the ramp rules should be the same for everyone.

· **Doug Diboll, A-card:** He discussed Alex Kaplan situation. He states the some ramp drivers are sitting in front of hotels not servicing the disabled community. He states ramp permits are a short root to receiving a regular permit.

8. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION FOR PROPOSED LANGUAGE REGARDING AMENDMENT TO THE RULES AND REGULATIONS PURSUANT TO SUBSECTIONS (F) AND (G)(iii) OF SECTION 1121 OF THE SAN FRANCISCO POLICE CODE, RECENTLY AMENDED BY THE SAN FRANCISCO BOARD OF SUPERVISORS.

Commissioner Gillespie motioned the approval with the following amendment: that color scheme holders upon request issue duplicate copies of waybills to all drivers. Commissioner Smith seconded the motion. Motion passes 7-0

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Paek, Smith
NOES: None

ABSENT: None
RECUSED: None

PUBLIC COMMENT

· **Barry Taranto:** He supports the proposed language change. He questioned if the cab companies wanted to give copies of every waybills to drivers. He questioned whether or not this applies to gas and gate drivers or every driver. He believes this will be a huge expense. He has some concerns about this rule.

9. ADJOURNMENT

Adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

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KELLY CASTAGNARO, ACTING DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

October 12, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the September 28, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda).
8. Discussion and possible action on draft resolution urging the Board of Supervisors to amend the San Francisco Police Code per Assembly Bill 2591 (Discussion) (Possible Action)
9. Discussion on Taxi Driver of the Year Award (Discussion)
10. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Sami Alayan	Yousef Algazali	Ahmed Ali	Hector Alvarez
Gregory Anyanwu	Enio Arrais	Kahsay Asghede	M. Wazir Babul
Pranab Barman	Jorge Cabrera	Advan Carvalho	Kongphet Chanthavong
Philip Cunningham	Hung Dang	Carlos Davila	Rudi DiPrima
Carl Fernandez	Kenneth Forney	Jose Franco	Troy Fullerton
Mohammed Habib	Gustavo Hernandez	Marco Junqueira	Michael Jurkovic
Mehdi Kabli	David Kracke	Minh Lam	Ozark Le
Joci Leite	Rene Lemire	Gerardo Lozanoduran	Johnny Luu
Oscar Mangandidgarcia	Chunnu Mohammed	Melquiades Neto	Hung Nguy
Paschal Nnaji	Anne Ogborn	Husam Qana	Marcos Rocha
Thiago Sampaio	Marilde Santos	Abdelghani Saouaf	Shehadeh Shehadeh
Carlos Silva	Mehary Tesfu	Andy Vo	Haile Yohannes
Michael Young			

B. Recommendation of the Taxi Commission for approval of Color Scheme Changes to:

	Medallion Holder	Cab #	Change
1.	Jamshid Eslam Khajvandi	481	Yellow Cab to Luxor Cab
2.	Stephen Craig Webb	804	Veterans Cab to Big Dog Cab

C. Approval of Final Decision by the Acting Executive Director Regarding Recommendations submitted by Taxi Commission Hearing Officers. (Continued from 08/24/04 and 09/28/04)

1. Approval of Revocation of Driver Public Passenger Vehicle Permit held by Saul Kirchner.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

Special 10-Day Notice of Taxi Commission Rule Change for October 26, 2004 Taxi Commission Meeting

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the October 12, 2004 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
Peter Shu	*Saam Aryan*	*None*

COLOR SCHEME CHANGES

	Medallion Holder	*Cab #*	*Change*
1.	*George A. Lancia*	*846*	*DeSoto Cab to Bay Cab*

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Taxicab Commission >> Taxi Commission Meeting Information

Taxicab Commission

October 12, 2004

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MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

October 12, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; McGuire; Paek; Smith

ABSENT: Kwok

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Kelly Castagnaro, Jimi Harris, Sonya Banks, - Taxi Commission; Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL - The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE SEPTEMBER 28, 2004 TAXICAB COMMISSION**

Commissioner Smith motioned to approve the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok

4. **APPROVAL OF THE CONSENT CALENDAR**

President Jackson requested to sever 4A, B and C of the Consent Calendar.

4A Commissioner Smith motioned to approve 4A of the Consent Calendar. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok

4B1 Commissioner Smith motioned to approve 4B1 of the Consent Calendar. Commissioner Paek seconded the motion.

AYES: Jackson, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok
RECUSED: Gillespie

4B2 Commissioner Smith motioned to approve 4B2 of the Consent Calendar. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok
RECUSED: None

4C Commissioner Breslin motioned to approve revocation of 4C (Saul Kirchner) of the Consent Calendar. Commissioner Smith seconded the motion.

Inspector Farrell Suslow, SFPD-Taxi Detail: presented the case.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith
NOES: None

ABSENT: Kwok
RECUSED: None

5. STAFF REPORT

Kelly Castagnaro, Acting Executive Director: 1) The Board of Appeals will be hearing the A-card revocations appeal on January 12, 2005. The Board of Appeals also has hearings scheduled on October 20, 2004 for Diane Cohen and Jamie Yuen and on December 1, 2004 for Boris Shamis. On October 9, 2004 a taxi driver was shot in the shoulder while taking a passenger home in the Bayview Hunter Point area. The

passenger was not injured and the driver was treated and released from S.F. General Hospital.

PUBLIC COMMENT

· **Robert Cesana:** He nominated the taxi driver who was shot for the Taxi Driver of the Year Award.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar a hearing on out-of-town taxis. The out-of-town taxis are showing up in the Mission, Excelsior, Outer Mission and South of Market areas. Suggested providing SFPD-Taxi Detail with two additional officers to do enforcement on the out-of-town taxis. Requested a hearing to discuss extending the taxi vehicle life.

PUBLIC COMMENT

· **Barry Taranto:** He requested to adjourn the meeting in the memory of Emory Speck, who ran a major cab company. Thanked Commissioner Smith for agendizing a hearing on the out-of-town taxi problems. He suggested scheduling a meeting with S.F.P.D. to get Police Officers more involved with enforcement on out-of-town taxis. He suggested setting up a procedure for approving extensions on taxi vehicle life.

7. PUBLIC COMMENT

· **SXXX, Yellow Cab driver:** Informed the Commission of taxi 525 that was not allowed to drive in San Francisco, but is regularly picking up passengers in San Francisco. He requested the Commission to allow drivers to post the following sign: Pay only $30 to San Francisco airport ($40 to Oakland airport). When you ask someone in a hotel to get you a cab (or limousine) to the airport, a majority of them call only those drivers that pay an extortion fee/bribe of $10-$15 (based on location). We take you to the airport for less and we carry $1,000,000 insurance. To use the discount, contact your driver or call: (415) 626-TAXI.

· **John Nakis, Yellow Cab:** He provided and explained to the Commission pictures, advertisements and activities of illegal taxis.

· **Barry Taranto:** He thanked whoever was involved in arranging with the 49er's and DPT to allow taxi drivers complete access to the ballpark. He wanted to know the effect the hotel strike was having on taxi services at hotels. He believes closed sessions should not be held at disciplinary hearings because they violated Commission rules. He suggested holding off on disciplinary action until which rule should be more heavily enforced: 1) ensuring that shift changes take place at the company or that waybills are turned in on a regular basis.

· **Carl Macmurdo:** Informed the Commission of a driver who executed a citizen's arrest on an out-of-town taxi. He believes there are three aspects 1) telephone calling; 2) setting up decoys/sting operation; 3) fake taxis. He states that all drivers are losing income because of the out-of-town taxis. Thanked Commissioner Smith for agenizing this issue and suggested everyone work together to solve the issue of out-of-town taxis.

· **Jim Gillespie:** He explained how he called 411 and asked for Yellow Cab San Francisco and received a fraudulent company's phone number. He suggested that Taxi Detail prioritize enforcement. Emory Speck did things his way and ran a successful cab company. Suggested adjourning tonight's hearing in the memory of Emory Speck.

· **Robert Cesana, PDA:** He states that Yellow Cab Co-op is the only licensed cab company is South S.F. Yellow Cab management is in the process of suing the Yellow Pages. He states that DeSoto Cab Company ignores the workers' compensation rule yet continues to operate. He asked why does DeSoto drives around in pick-up trucks to pick-up passengers.

· **Molubeta Woldemariam, Yellow Cab permitholder:** He explained his experience with an out-of-town taxi and how he made a citizens arrest. He requested that the Commission write a letter regarding this issue. He volunteered his services for enforcement of out-of-town taxis.

· **Tone Lee:** He states that gas prices are rising. He requested the help of the Commission for approval to extend the life of taxicabs from 3 years to 4 years.

· **Pablo Groudor:** Requested an additional year on the vehicle life. He states his taxi is in good shape.

8. DISCUSSION AND POSSIBLE ACTION ON DRAFT RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND THE SAN FRANCISCO POLICE CODE PER ASSEMBLY BILL 2591.

Commissioner Gillespie motioned the approval of the draft resolution. Commissioner Breslin seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith
NOES: None

ABSENT: Kwok

RECUSED: None

PUBLIC COMMENT

· **Jim Gillespie:** He feels there should be a discussion with the District Attorney's office and Taxi Detail on enforcement. He heard there was concern at the police department about enforcement. He heard there was a limousine acting as a taxi that was cited and the limousine impounded. The limousine owner retrieved the vehicle and was reimburse all fees associated with the impounding process. He feels the bill is written properly.

· **Mark Gruberg, UTW:** He commented on the draft resolution. He requested amending the resolution to ask the Board of Supervisors to review the applicable section of the police code to determine if further changes are warranted. He states the Bill covers limousines and all other vehicles acting as taxicabs. He believes the city should look at increasing the fines.

· **Barry Taranto:** Thanked staff for the resolution. He states the resolution should also go to the Police Commission and Police Chief Heather Fong so the police are aware that the bill was passed and will take effect early next year. He feels it should also be addressed to the District Attorney's office.

· **Robert Cesana:** Absent from the resolution is not sending it to all the police departments. His concerns are at the airport the limousines that were cited were not towed, and South San Francisco courts are dismissing the charges and making the police department pay back towage fees. Suggested consulting with the airport police to see if these cases could be prosecuted in San Francisco rather then San Mateo County. He suggested having Taxi Detail do enforcement and not be present at the Commission hearing unless they have to testify.

· **Tone Lee:** He feels that limousines are stealing taxi driver business. He states that since the doormen are on strike at the Hilton Hotel he has received two airport runs. He hopes that since the bill passed it will help the taxi business.

9. DISCUSSION ON TAXI DRIVER OF THE YEAR AWARD.

10. ADJOURNMENT

Adjourned the meeting at 7:45 p.m. in the memory of Emory Speck.

Respectfully submitted,

Sonya Banks

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

KELLY CASTAGNARO, ACTING DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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OCT 25 2004

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October 26, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

23
1
/26/04

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the October 12, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda).
8. Hearing and possible approval of a resolution amending the Taxi Commission rules and regulations regarding vehicle life (discussion) (possible action)
9. Discussion on enforcement of out-of-town taxis (discussion)
10. Hearing and possible approval of a resolution on Prop K Manager's Exemption (discussion) (possible action) (continued from July 13, 2004)
11. Adjournment

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Individuals who are unable to attend the meeting but would like to comment on an agenda item may do so by calling (415) 554-9632 during the meeting. When the item you wish to comment on is heard, you must state at that time you wish to speak.

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Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

October 26, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext 2

PATRICIA BRESLIN, COMMISSIONER, ext. 4

MICHAEL KWOK, COMMISSIONER, ext. 3

MARY McGUIRE, COMMISSIONER, ext. 5

MIN PAEK, COMMISSIONER, ext. 6

MARTIN SMITH, COMMISSIONER, ext. 7

KELLY CASTAGNARO, ACTING EXECUTIVE DIRECTOR

MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

October 26, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

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PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:35 PM

STAFF IN ATTENDANCE: Kelly Castagnaro, Jimi Harris, Sonya Banks, - Taxi Commission; Captain Ronald O'Neill; Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - The Roll Call showed a quorum was present.

3. APPROVAL OF THE MINUTES FOR THE OCTOBER 12, 2004 TAXICAB COMMISSION

Commissioner Smith motioned to approve the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek

PUBLIC COMMENT

· **Barry Taranto:** He requested the minutes be corrected to reflect his statement. He requested that disciplinary hearing for taxi companies be place on hold until prioritizing and reviewing the rule regarding the shift changes at cab companies as opposed to the waybills being turn into the cab companies.

4. APPROVAL OF THE CONSENT CALENDAR

4A Commissioner Gillespie motioned to approve 4A of the Consent

Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Smith **NOES:** None

ABSENT: Kwok, Paek
RECUSED: None

4B Commissioner Smith motioned to approve 4B of the Consent Calendar. Commissioner Breslin seconded the motion.

AYES: Jackson, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek
RECUSED: Gillespie

4C Commissioner Smith motioned to approve 4C of the Consent Calendar. Commissioner Breslin seconded the motion.

AYES: Jackson, Breslin, Kwok, McGuire, Smith
NOES: None

ABSENT: Paek
RECUSED: Gillespie

5. STAFF REPORT

Kelly Castagnaro, Acting Executive Director: 1) The ramp driver compliance list, now includes the medallion number per the Commission's request. The Castro merchants are in support of installing a taxi stand at 18th and Castro Street on the southeast corner. For the Holiday Season the Department of Public Health is launching its anti drunk driving program. The Commission staff has provided them with the names of taxi companies, which will be printed on small card and distributed to bars. They department will provide small posters to be posted inside taxis. The Board of Appeals has not scheduled any new disciplinary hearings.

PUBLIC COMMENT

· **Ruach Graffis, UTW:** She suggested taxi stands be located at State and Castro Streets.

· **Peter Witt, Yellow Cab driver:** He agreed with Ruach's comments. He believes the taxi stand at 18th and Castro Street is not effective.

· **Barry Taranto:** Thanked Acting Director Castagnaro for having the taxi stands installed. He states that 14th and Castro will be blocked off. Taxi drivers should be allowed to enter at 16th Street to pick up/drop off passengers. On the ramp taxi list, there is insufficient reporting by dispatch companies.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar changing the rule that state medallion holders must drive their own medallion. He believes that medallion holder should be allowed to driver other medallions and get credit toward the driving requirement. He provided a wish list for possible taxi stand locations. He volunteered his services to the paratransit office for preparing the ramp pick-up list. Thanked President Jackson and Acting Director Castagnaro for writing the letter to the Chronicle newspaper regarding the night cabbie comments.

Commissioner Gillespie: Congratulated Peter Shu and Saam Aryan on receiving their medallions. He informed the Commission he was part of a demonstration by Ford Motor Company of the new Escape Hybrid SUV Taxi. Yellow Cab has purchased around a dozen of these vehicles. He hope these vehicles will be highly adopted by the city because it will be a tremendous benefit and will reduce fuel cost.

Commissioner Breslin: Thanked President Jackson and Acting Director Castagnaro for writing the letter to the editor regarding the night cabbie. She suggested putting emphasizes on the report regarding the response time to the inner Richmond district.

Commissioner McGuire: Requested the Acting Director to prepare a draft resolution to the Mark Huntley, General Manger at the Fairmount Hotel and request letting their employees return to work. She suggested the cab driver support the hotels locked out workers.

Commissioner Breslin: She is shocked a Commissioner would use this forum for personal political issues. She believes when a taxi driver accepts a fare the driver must take that person to their point of destination. If there are personal feelings, it should be left off this Commission and we should deal with what the taxi drivers responsible is to provide public convenience and necessity.

Commissioner Kwok: He suggested being careful about what is said by Commissioners at the hearings. He supports Commissioner Breslin's concerns. He echoed Commissioner Gillespie's comments regarding hybrid vehicles saving on fuel cost. Congratulated Peter Shu for receiving his medallion. He agreed with Commissioner Breslin's request for a response time report for comparison of services.

PUBLIC COMMENT

· **Ruach Graffis, Director of Taxi Driver Institute:** She teaches in her class the importance of not offending women in their taxicabs. She cannot believe the night cabbie would brag about the comments he makes to women passengers.

· **Barry Taranto:** Thanked President Jackson and Acting Director Castagnaro for preparing the letter to the Chronicle. He feels it is not appropriate for the night cabbie to be sharing his thoughts with the general-public. He feels that it is important to let passengers know what is going on at the hotels. He still does drop-offs and pick-ups at the hotels. He feels that Commissioner Breslin needs to be a little more sensitive to problems with door staff at hotels and taxi drivers.

· **Peter Witt, Yellow Cab driver, 17 years:** He states he does have much to say about the night cabbie. He believes the small businessman has the right to refuse customers. He states it is not safe to pick-up everybody.

· **Carl Macmurdo:** He believes the some of the night cabbie articles are savory. Thanked President Jackson and Acting Director Castagnaro for complaining to the Chronicle. Cab drivers should not be portrayed and involved in these types of activities.

· **Mark Gruberg:** It may not be appropriate for this Commission to take a position regarding the hotel strike. It is appropriate to have a discussion at the hearing during public comment. The situation at the hotels affect taxis and taxis affect hotels. UTW has supported workers in these types of situations, and has always advised drivers if a hotel doormen flags for a taxi to stop and pick-up the fare.

· **Norma Geer:** She questioned is the night cabbie a real taxi driver. The problem is with the limousines. She states that doormen escort passengers to limousines. When the new law goes into effect is there going to be enforcement because law without enforcement means nothing. She encounters a limousine owner who states his drivers have been stopped numerous of time but they all have hotel room numbers, etc. and he anticipate no problem with the new law. She believes that everyone would be making money if there was more enforcement.

7. PUBLIC COMMENT

· **John Nakis, Yellow Cab:** He wanted to point out the unfair practices of DPT. He displayed a DPT citation for violating the white zone that he received without his knowledge. Limousines are taking taxi driver fares and parking spaces. This problem has been going on for a long time and now is the time to take care of this problem.

· **Robert Cesana, PDA:** He displayed the training manual from DPT. He suggested the Commission write a letter to DPT regarding the white zones. No one noticed that the white zones became hotel zones and hotels are using the zones for their own purposes.

· **Barry Taranto:** He wanted to know if the Commission could temporary rename a street to North of Sutter until the end of the day November 2nd. Thanked Sergeant Simpson and Commission staff for working out the arrangement with the Daly City Police. There are numbers of disciplinary cases that should have been heard. He uncovered a disciplinary applicant who applied for an ADA request, but is still driving a taxi. He thought that the London Taxi Tanqueray advertisement wrap would be better outlined.

· **George England, Luxor Cab - 24 years driver:** There has been a problem with limousines for 20 years. He believes that if permit holders income were affected by the way limousines operate, the taxi industry would see changes. He suggested addressing the issue of gate fees. If permit holders do not want to drive they should give up their permits.

· **Peter Witt, 17 years driver:** Can you see me, can you hear me ok? Driver Representatives. Did you see my last customer survey. Do you still think it sloppy and frivolous, not worthy of your attention and you President Jackson you promised me you'd look at it. The only problem I have is you are all laymen, and not qualified to evaluate its integrity or validity. Professing divine knowledge only reflects your imperial attitude and your lack of sensitivity. The longer this charade continues (to the detriment of all taxi service) the costs go up! And I'm not just talking monetarily! By not recognizing the truths this taxi commission in denial. Qualifying you all for removal. Maybe I don't speak your language but the facts "speak for themselves" and you're not listening. What has pre-seeded my "war of words". Has been the continued incompetence displayed by my two "taxi driver" representatives and the SFPD Taxi Detail!

8. HEARING AND POSSIBLE APPROVALOF A RESOLUTION AMENDING THE TAXI COMMISSION RULES AND REGULATIONS REGARDING VEHICLE LIFE.

Commissioner Smith motioned the approval to extend the life of used vehicles to four-years, 350,000 miles maximum, and require two inspections twice a year after 250,000 miles and workers' compensation coverage. Commissioner Kwok seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Breslin, McGuire, Kwok, Smith
NOES: None

ABSENT: Paek
RECUSED: None

Alice Sgourakis, Manager, Airport Ground Transportation Unit: She provided the ground transportation concerns regarding extending the vehicle life.

PUBLIC COMMENT

- **Richard Hybels, Owner, Metro Cab Company:** He owns half of his taxi fleet and the other half are owner operator. He would rather keep his cabs in good working condition than have to purchase new vehicles. He is in favor of resolution 2B.

- **Ed Agababian, Royal Lease Driver:** He is in favor of vehicle extension.

- **Victor Chang, Regent Cab:** He has a 2001 Crown Victoria, which is in good condition. In favor of a one-year vehicle extension.

- **Gurmail Singh Uppal:** He would be happy if the Commission approved the vehicle extension. His car is in good shape.

- **Saam Aryan:** He believes 350,000 miles should not be the limit if the cab is taking care of. He believes the limousine problem has been identified and now is the time for action.

- **Steven Gee, Regent Cab:** He recently purchased a 2001 Crown Victoria. He believes the key is preventative maintenance. He is in favor of a one-year extension based on the ground transportation mechanic inspections. Most drivers who own their taxis are going to keep their taxis in tip-top shape.

- **Mark Gruberg:** He supports the vehicle extension. His cab has been on the streets close to three year and will need to be replaced in January. His cab is in excellent shape and has less than 200,000 miles. He thinks the key is inspections. He believes additional life for taxis is warranted because of the economy, but a mileage limitation should be required.

- **Barry Taranto:** He shared a conversation he had with a permit holder from Yellow Cab. He believes it depends on who is driving the vehicle and how it is being used, if the vehicle is going to last. He supports the second paragraph in option #2. It is an investment for the owners to take excellent care of their vehicles. He suggested a mileage limitation.

- **Cordwee Wong:** He asked the Commission to approve the extension.

- **Pablo Gravador:** He has a Crown Victoria that has 148,000 miles it will be 3 years old in September 2005. In favor of extension.

- **Robert Cesana:** He is in favor of a one-year extension. He believes the mileage should be disregarded. The limit was put in place to improve the taxi fleet. He states that more spare are being driven as replacements of owner driven cabs.

- **Tone Lee:** Thanked the Commission for this discussion. Most cab drivers are independent and it is unfair to punish drivers because of high mileage on their cabs.

- **Taso Zografos:** He comes before the Commission as a native San Franciscan, transportation advocate and a professional who travels across the United States. San Francisco has the best taxi service in the country as far as quality is concerned. Suggested looking at how the vehicles are being used, or abused and whether they are maintained. He believes the only effective way is inspections. He suggested allowing the inspections to dictate the quality of the vehicles and those inspections will place vehicle out of service at that time.

· **Peter Witt, Native San Franciscan:** He agreed with Taso Zografos's comments. He has been driving for 17 years and he drives spare taxis every day. He believes that long-term leaser take better care of their taxis. He states that once a year inspections are not adequate. He suggested reducing the gate fee if the extension is approved. He states inspections should dictate the life of a cab.

· **George England, Luxor Cab:** He believes that spare taxis are in terrible shape. He suggested increasing inspections. He believes that any vehicle that has gone 300,000 miles is worn-out. Suggested sticking with a reasonable standard for mileage and increase inspections.

· **Ram Gopal:** He supports the vehicle extension. He asked if taxi companies could run a taxi for a fourth year as a spare, why can't the drivers? In favor of a one-year extension.

· **XXXX:** He states that gas prices are higher and the economy is bad. In favor of extension.

· **Ruach Graffis:** The three years vehicle life was implemented to have good taxis. She believes the real issue is not the age of the taxi but what condition it is in. She believes the four year is good. She states there are three types of cabs that may not have been kept up which are pre-Prop. K, corporate, and spare cabs. She suggested extending the life with stipulations.

· **Nishan Sweis, Owner of Royal Taxi:** He explained how purchasing vehicles are costly. He purchased his vehicle from the auction to save on cost. He suggested another year of life on the vehicles this would help the companies.

· **Lt. Jeanne Schlotz:** She encouraged the Commission to think of what Alice Sgourakis, Airport Management and Dan Borg, Head Mechanic at the Airport recommendations. They suggested 350,000 miles as the top limit. In theory drivers think their vehicles are in tiptop shape that is not always true. She encouraged everyone involved to submit complaint cards if they feel a vehicle is not in good shape.

· **XXXX:** To buy a new car is very expensive. He suggested purchasing a quality used vehicle. In favor of approving the vehicle life. He states his car is in good excellent condition.

9. DISCUSSION ON ENFORCEMENT OF OUT-OF-TOWN TAXIS

Inspector Farrell Suslow, SFPD-Taxi Detail: Answered questions from the Commissioners and provided brief details on out-of-town enforcement.

Captain Thomas O'Neill, SFPD-Taxi Detail: He provided additional clarification on taxi enforcement.

PUBLIC COMMENT

· **John Nakis:** Thanked the Commission for the discussion. He states most illegal taxis are painted yellow. He displayed pictures of illegal cabs.

· **Carl Macmurdo:** He states another resource would be volunteer cab drivers with cell phones to help police with enforcement. He believes some ways to spot illegal cab are by there plates (passenger or commercial plates).

· **Barry Taranto:** Thanked Inspector Suslow for briefing the Commission on their recent actions. He suggested sending a resolution to the police in the areas were illegal taxis are located which is the Mission district, south of Market Street, Tenderloin and Central Station. He does not believe that cab drivers should serve as a vigilante task force. Recommended that drivers be provided with a contact phone number for reporting illegal taxis.

· **Robert Cesana:** There have been two incidents where a cab driver has stopped an out-of-town taxi, he believes this is sending the wrong message. He suggested providing funding the police, or bringing it to the attention of the Mayor and the city. He believes the city is legally responsible in the event of an accident occurring.

· **Peter Witt, Yellow Cab:** He believes the illegal taxi activities are done at night mainly Friday and Saturday. He does not believe there is a problem with out-of-town taxi or limousine that break the law. He provided a copy of Taxicab Enforcement Cheat Sheet Municipal Police Codes. He asked if drivers picture identification in the wrong location is a far greater risk to public safety. He received three citations 1) for his waybills being incomplete, 2) no proof of insurance and 3) a misplaced A-card. He stated the Commission has the authority to mandate police to change their priorities.

· **Norma Geer, Yellow Cab:** She stated that Peter Witt is funny, but this is serious problem when you add the financial impact. The out-of-town taxis are everywhere. She suggested the police should go to the Marina or North Beach and pull over out-of-town taxis.

· **Tone Lee:** The main concern should be for citizen safety. Citizens are not aware they may be in an illegal taxi with no insurance. He states taxi drivers do not lose large amounts of the fares to illegal taxis. He believes that taxi drivers and companies lose 15% of the revenue to limousines.

· **Michael Spain:** He believes that he has been solicited four times within the last three years by what he thought were illegal taxis at the airport. He believes a more effective way to enforce illegal taxis is for police officers to get out of their cars or use police decoys to attempt to hail taxis.

· **Saam Aryan:** He has been studying this issue for many years. He asked if anyone was willing to videotape the illegal transactions at hotels. He believes the system is not working. Police officers already have lot of priorities. What is lacking is resources and lack of cooperation with each other.

· **Peter Shu:** He runs into lots of illegal taxis. He suggested having Taxi Detail out on Halloween night in drag.

· **Ruach Graffis, driver 1106:** She sat behind a limousine on Hyde Street and watched him bring thirteen passengers in three different groups. She questioned the police officer as to why he did not do anything to the limousine driver. She suggested that police officer be trained or a memo prepared on how to deal with limousines.

10. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION ON PROP. K MANAGER'S EXEMPTION.

This item is being continued until November 9, 2004.

PUBLIC COMMENT

· **Peter Witt:** He questioned the definition of a manager. Suggest reviewing the meaning of a full exemption. What about if a company is mis-managed? He states once you become an owner, you become a manager. He states there is 1381 taxi, than there are 1381 managers. Bad managers should not be rewarded.

11. ADJOURNMENT
Adjourned the meeting at 9:45 p.m.

Respectfully submitted,

Sonya Banks, Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
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KELLY CASTAGNARO, ACTING DIRECTOR

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

November 9, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the October 26, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda).
8. Approval of a resolution amending the Taxi Commission rules and regulations regarding vehicle life. [ACTION]
10. Hearing and possible approval of a resolution on Prop K Manager's Exemption (discussion) (possible action) (continued from July 13, 2004 and October 26, 2004)
11. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Wallace Lau	817	Regents Cab
2.	Lawrence Paul	376	Veterans Cab
3.	Michael Rothstein	1201	Yellow Cab Co-op

B. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion permit to:

	Medallion Holder	Ramp Permit #	Color Scheme
1.	Lee Secapure	9034	Luxor Cab
2.	Larry Vickers	9026	Luxor Cab

C. Recommendation of the Taxi Commission for approval of Color Scheme Change to:

	Medallion Holder	Cab #	Change
1.	Linh Van Truong	9040	Bay Cab to Yellow Cab Co-op

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

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TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
None	*None*	*Sunset Cab Company*

COLOR SCHEME CHANGES

Medallion Holder	*Cab #*	*Change*
1. Patel Bhupendra	*1222*	*DeSoto Cab to Luxor Cab*
2. David A. Helske	*889*	*Worldwide Cab to Luxor Cab*

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Taxicab Commission

November 09, 2004

COMMISSIONERS TELEPHONE (415) 554-7737

ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4

MICHAEL KWOK, COMMISSIONER, ext. 3

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MIN PAEK, COMMISSIONER, ext. 6

MARTIN SMITH, COMMISSIONER, ext. 7

KELLY CASTAGNARO, ACTING EXECUTIVE DIRECTOR

MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

November 09, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; Kwok; McGuire; Smith

ABSENT: Paek

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PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Kelly Castagnaro, Jimi Harris, Sonya Banks, - Taxi Commission; Captain Ronald O'Neill; Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL - The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE OCTOBER 26, 2004 TAXICAB COMMISSION**

Commissioner Smith motioned to approve the minutes. Commissioner Kwok seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek
RECUSED: None

4. **APPROVAL OF THE CONSENT CALENDAR**

4A1-2 Commissioner Smith motioned to approve 4A1 and 2 of the Consent Calendar. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek
RECUSED: None

4A3 Commissioner Smith motioned to approve 4A3 of the Consent Calendar. Commissioner Kwok seconded the motion.

AYES: Jackson, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek
RECUSED: Gillespie

PUBLIC COMMENT

· **Frederick Lein, Yellow Ramp 9038:** Acknowledge Michael Rothstein for his services in the ramp program and on receiving his regular taxi permit.

4B Commissioner Smith motioned to approve 4B of the Consent Calendar. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, Kwok, McGuire, Smith
NOES: None

ABSENT: Paek
RECUSED: None

4C Commissioner Smith motioned to approve 4C of the Consent Calendar. Commissioner Kwok seconded the motion.

AYES: Jackson, Breslin, Kwok, McGuire, Smith **NOES:** None

ABSENT: Paek
RECUSED: Gillespie

5. STAFF REPORT

Kelly Castagnaro, Acting Executive Director: 1) Reminder A-cards will expire on December 31, 2004. The renewal fee is $45.75 and is payable to the Tax Collectors office, City Hall, Room 140. Drivers can start renewing their A-cards the first week

in December until February 1, 2005, without being penalized.

Sergeant Vince Simpson, SFPD-Taxi Detail: Provided an update on robbery suspects. Photo images were downloaded from the taxicab security camera. A crime bulletin was established and disseminated. One suspect have been identified and is now in custody. The other suspect is still outstanding. Anyone with information about the suspect may call the robbery detail at (415) 553-1201 or operation center at (415) 553-1071.

Mario Moreno, Dept. of Public Health: He discussed affordable health plan services for taxi drivers and their families. The information will be disseminated during the January 2005 A-card renewals.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar 1) list by company name of ramp taxis, 2) Raising the "drop fee" to $0.50 to accommodate for the rise in gas prices.

Commissioner Breslin: Cautioned all drivers to be aware of pedestrians during the holiday season.

Commissioner Kwok: Requested to calendar an update on the taxi surveys.

Commissioner Gillespie: He personally congratulated Michael Rothstein on receiving his medallion permit.

Commissioner McGuire: On 3rd and Mission Streets left turns are for buses and taxis only but regular passenger car are making left turns as well. Suggested writing DPT a letter requesting an investigation and enforcement be done.

PUBLIC COMMENT

- **Barry Taranto:** He concurs with Commissioner McGuire concerns regarding 3rd and Mission Streets. He urged the Commission to write their letter to SFPD because DPT does not deal with moving violations. He states there are violations being committed up and down Mission Street. He also requested enforcement of the diamond lanes.

7. PUBLIC COMMENT

- **Laurie Graham, Yellow Cab:** Congratulated Michael Rothstein on receiving

his permit. Invited the Commission to attend the Paratransit Coordinating Council annual meeting which will held on November 20, 2004 from 12:00 - 4:00 p.m.

· **John Nakis:** He addressed the limousine problem. He believes limousines are working with the hotel managers. He explained that DPT does nothing about the limousines. Displayed photos of limousines parked in white and taxi zones.

· **Barry Taranto:** As we are approaching the Thanksgiving holiday, business is down. He suggested that a hearing should be held regarding the pending disciplinary cases. He informed the Commission of 1) MTA approved an extension of the contract with the paratransit broker until 2008; 2) The Broadway tunnel is closed which makes access to North Beach terrible; 3) The strike at the hotels is hurting taxi business. He requested the Commission to hold a hearing regarding the shift change rule.

· **Robert Cesana, PDA, Yellow Cab:** He corrected Kelly Castagnaro's comment regarding A-card renewals. He states that any driver that has not renewed their A-card by January 1st and is driving a cab is out of compliance. He states that no commercial vehicles can park in the white zones, but DPT will not enforce that rule. He suggested holding a meeting with DPT and hotel managers.

· **Taso Zografos:** He was representing S.F. Taxi Association at a two-day workshop in New York on how to improve taxi services. They discussed how to deploy technology and how to use that technology; 1) to gather data about where pick-up are occurring; 2) how people are using taxi service, so there Commission can make better policy decisions. He asked to Commission to consider these options.

8. APPROVALOF A RESOLUTION AMENDING THE TAXI COMMISSION RULES AND REGULATIONS REGARDING VEHICLE LIFE.

Commissioner Gillespie motioned the approval of amending the Taxi Commission Rules and Regulations regarding vehicle life. Commissioner Smith seconded the motion. Motion passes 5-1

AYES: Jackson, Gillespie, Breslin, McGuire, Smith
NOES: Kwok

ABSENT: Paek
RECUSED: None

PUBLIC COMMENT

· **Barry Taranto:** He states for individuals to get workers' compensation it will cost over $500.00 a month, how much will a new vehicle cost. Permit holders who single shift do not have to get workers' compensation. He is in favor of workers'

compensation. He believes the drivers who have applied for extensions have invested thousands of dollars in keeping their vehicles in good shape. His concerns are that permit holders will not purchase new vehicles but purchase savage vehicles instead. He suggested holding off on making a decision.

· **Wesley Hollis:** He hopes the Commission had the opportunity to read his letter. He applauded the Commission on their decision to include mileage on vehicle life. Small cab companies cannot survive economically with the current rules. He explained his situation as a small cab company. The only time a spare vehicle is use is when the regular vehicle is out of service.

· **Gratchia Makarian, B & W Checker Cab:** It is his understanding that not all cab companies have workers compensation. The Commission does not have accurate information regarding which medallion has workers' compensation. It is not fare to rely on the information received from the cab companies. He suggested reviewing the commission's pervious decision. He does not understand why drivers without workers' compensation have to be punished.

· **Jane Bolig:** She suggested an approach for Wesley Hollis' concerns. She suggested that small cab companies have access to spare vehicles in the larger companies. She congratulated the Commission for closing the gap in helping to make sure that all drivers are covered by workers' compensation.

9. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION ON PROPOSITION K MANAGER'S EXEMPTION.

THIS ITEM IS BEING CONTINUED.

PUBLIC COMMENT

· **Barry Taranto:** He thinks it is important to hear from the author of the proposal. It is important to define and or definition of what is a manager. He believes that more permit holders are also managers of companies. He questioned if someone who performs one role (cashier, dispatcher etc.) should be considered a manager.

· **Mike Spain:** He supports Taso Zografos's comments regarding investing into the cab companies. He supports this item. Urged the Commission to come up with a number that allows as many qualified driver/owner as possible to work in management positions. Many have been in the industry for a long time.

· **John Nakis:** It is urgent for this item to pass because Pre-K permit holders are getting older and retiring. He believes the structure of the cab companies will not exist without K permit holders managing the companies.

· **Jane Bolig:** There is a need for exemption for managers. It was customary for permit holders to move into managerial positions. She states that promoting

people from within a company who are responsible for running the companies and who know the industry. These positions are full-time jobs and to add a driving requirement does not seem reasonable.

· **Carl Macmurdo**: In the law of Prop. K of 1978 the phase "driving requirement" does not exist rather the permit applicant must swear the intention to be a full-time driver. He states the proposal presented tonight is consistent with the appellant ruling. The Taxi Task Force recommended a full driving exemption for a percentage of company employees in managerial and administrative positions. The companies will grant driving exemptions on an annual rather than a lifetime basis. The goal is public service not to micro-manage who is behind the wheel of a taxi at any given moment. He thanked Commissioner Smith and former Commissioner Jane Bolig for putting this item forward.

· **Taso Zografos:** He is speaking on behalf of S.F. Taxi Association stepping in for Hansu Kim, Executive Director. Prop. K did not address how to deal with management of companies. It is great for drivers to take a role in management. He states that 10% is usually what is allocated for management purposes. The S.F. Taxi Association would like to stand by the work that was done by the S.F. Taxi Task Force in putting forth an equation for determining the amount of exemption.

· **Robert Cesana:** He is hoping to put forth a proposal to go to the supervisors. He states that Pre-Prop. K permit holders are getting older and looking toward retirement. He states full-time managers are needed to run cab companies. Mangers work normally 8 hours a day, so give them the credit for 8 hours, so if they worked 100 days a year as a manager they would be exempt from the driving requirement. He states nobody knows the definition of a manager. He suggested leaving the decision at the discretion of the company.

10. ADJOURNMENT

Adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Sonya Banks,

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

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November 16, 2004

Agenda

NOTICE

THE NOVEMBER 23, 2004 TAXI COMMISSION HEARING HAS BEEN

CANCELLED

3

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ncelled

THE NEXT REGULAR TAXI COMMISSION HEARING WILL BE ON

DECEMBER 14, 2004
6:30 P.M.

THE HEARING WILL BE HELD IN THE COMMISSION'S REGULAR HEARING ROOM

CITY HALL, ROOM 400

1 Dr. Carlton B. Goodlett Place, Rm. 448, San Francisco, CA 94102
(415) 554-7750 FAX (415) 554-7751
E-mail: sftaxicommission@sfgov.org, Web site: www.sfgov.org/taxicommission

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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

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December 14, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

3
14/04

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the November 9, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda).
8. Hearing and possible approval of a resolution on Prop K Manager's Exemption (discussion) (possible action) (continued from July 13, 2004, October 26, 2004 and November 9, 2004)
9. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Hussain Abusalif	Munir Algazaly	Abdel Alyibrahim	Versane Arantes
Froylan Armenta	Wossen Asfaw	Fakhri Ayadi	Leroy Beal
Mounir BenHassine	Jagjit Bhullar	Raniel Borges	Omar Boukottaya
Anatoli Brantvein	Andrew Carson	Justin Chow	Marlos DaSilva
Ricardo Dearaujoteles	Raymond Deocareza	Fernando Dias	Hernane DeSouza
Jandiscley DeSouza	Jose DeSouza	Adilson Dos Santos	Masud Faizyar
Tarek Felah	Amare Gebru	Amwar Ghanem	Stanley Goff, Jr.
Richard Hack	Jason Hall	John Haverkamp	Ma Hmwe
Nhon Hong	Vanusa Jesus	Abdul Khan	Theodore Lee
Henry Lim	Christopher Lou	Jose Lozano	Antonio Macedo
Marcos Madeiros	Validvino Martins	Moaz Masad	Alonzo McCright
Diogo Melo	Gilberto Monteiro	Douglas Moss	Mehdi Msadek
Rodirgo Netto	Akosa Obunse	Celso Oliveira	Tong Phan
Jose Queiros	Isreal Reyna	Chrsitiaan Roselund	Marcio Santos
Harun Sevimli	Fred Shardon	Kaushal Sheth	Nanak Signh
Swapna Sinha	Jashanpreet Singh	Kalatter Singh	Kyaw Soe
Jorge Solis	Robert Sosin	Marc Strohallen	Shekhar Syangden
Jamil Tawasha	Win Thein	Hung Tran	Eduard Torozyan
Hung Truong	Tesfamichael Tsegai	Jaswinder Uppal	Benjamin Vawters
Bernhardt Wehman	Abraham Woldezghi	Javier Wong	Wayne Wong
Wai Hin Soe Yee			

B. Recommendation of the Taxi Commission for approval of Color Scheme Change to:

	Medallion Holder	Cab #	Change
1.	Patel Bhupendra	1222	DeSoto Cab to Luxor Cab
2.	David A. Helske	889	Worldwide Cab to Luxor Cab

C. Recommendation of the Police Taxicab Detail for approval of Sunset Cab Dispatch Company.

D. Discussion and Possible Approval of Taxicab Wrap Colr Scheme to be effective December 15, 2004 – January 31, 2005. Applicant is Royal Taxicab Company Medallion Nos. 581 and 1159. The Color Scheme Wrap Advertiser is Shiekh Shoes.

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TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
Robert D'Armiento	*Osama M. Awwad*	
Ahmed Kabo	*Jamal W. Husary*	
Solomon Makonnen	*Kurt R. Schnitzler*	
Wondewossen Mekbeb	*Aboulghassem K. Malmirchegini*	
Lakew Melese		

COLOR SCHEME CHANGES

Medallion Holder	*Cab #*	*Change*
1. Kamen George Kamenov	*1054*	*Black & White Checker to Alliance Cab*
2. Andrew Martin Lindermann	*1242*	*Worldwide Cab to Luxor Cab*
3. Wallace Lau	*817*	*Regents Cab to Bay Cab*

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Taxicab Commission

December 14, 2004

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KELLY CASTAGNARO, ACTING EXECUTIVE DIRECTOR

MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

December 14, 2004

6:30 PM

Regular Meeting

PRESENT: Jackson; Gillespie; Breslin; McGuire; Paek; Smith

ABSENT: Kwok

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PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Kelly Castagnaro, Sonya Banks, - Taxi Commission; Captain Ronald O'Neill; Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL - The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE NOVEMBER 09, 2004 TAXICAB COMMISSION**

Commissioner Smith motioned to approve the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok **RECUSED:** None

PUBLIC COMMENT

· **Peter Witt:** He was unable to attend the previous meeting and believe his comments were incomplete and taken out of context. He wanted to know how to have the minutes corrected from October 26, 2004.

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Gillespie requested to sever 4D of the Consent Calendar.

4A Commissioner Gillespie motioned to approve 4A Driver Public Passenger Vehicle permits. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok **RECUSED:** None

4B Commissioner Smith motioned to approve 4B Color Scheme Changes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok **RECUSED:** None

4C Commissioner Smith motioned to approve 4C Sunset Cab Color Scheme Company. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok **RECUSED:** None

4D Commissioner Smith motioned to approve the wrap for permit #581 and disapprove the wrap for permit #1159. Commissioner McGuire seconded the motion. Motion fails 3-3

AYES: McGuire, Paek, Smith **NOES:** Jackson, Gillespie, Breslin

ABSENT: Kwok **RECUSED:** None

Commissioner Breslin motioned to approve the converse wrap for permit #581. Commissioner Smith seconded the motion. Motion passes 5-1.

AYES: Jackson, Breslin, McGuire, Paek, Smith **NOES:** Gillespie

ABSENT: Kwok **RECUSED:** None

PUBLIC COMMENT

· **Barry Taranto:** He displayed a copy of the colored wrap. He states the wrap that is showing leg is a very tactless piece of work for a London cab. He questions if permit holder # 1159 gave permission for this wrap to be advertised on her cab.

5. STAFF REPORT

Kelly Castagnaro, Acting Executive Director: 1) Reminder - The application for Driver of the Year has been extended until December 20, 2004. Application can be downloaded from the Commission website or by calling (415) 554-7750. 2) The Board of Appeals has rescheduled Boris Shamis hearing from December 1, 2004 to January 26, 2005. The Annual Safety Hearing will be held on Monday, December 20, 2004 at 10:00 a.m. in room 408. A fact finding report will be generated and disseminated. On behalf of the Commission - Happy Holidays.

Sergeant Vince Simpson, SFPD-Taxi Detail: Informed the Commission that the original suspect that was apprehended from the taxicab robbery in August, and that the images were downloaded and disseminated from the taxi. He pled guilty and has received two years in state prison.

PUBLIC COMMENT

· **Peter Witt, native San Franciscan, Yellow cab driver 17 yrs.:** The Driver of the Year award is an opportunity for drivers and the public to have some input and make a difference. He believes the information should be better disseminated. He wanted to verbally nominate Tone Lee and Barry Taranto.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar for possible action **1)** Medallion holders should be allowed to drive any medallion in order to fulfill the driving requirement. **2)** He thought there was a rule that if you advertised in the yellow pages you would have to announce it to every dispatch company. **3)** Suggested making workers' compensation a requirement for picking up passengers at the airport.

Commissioner Gillespie: He congratulated Marc Soto and the Paratransit Broker office for having their contract extended for three years to provide paratransit services. Suggested coordinating a meeting with Annette Williams or Marc Soto to do a presentation for the Commission with Q & A to make sure people understand what is going on with this program.

Commissioner McGuire: Requested to calendar **1)** She questioned is a wrap a color scheme change. **2)** Schedule a review of the hearing officer's pending cases. **3)** Allow an additional year of life for spare taxis with mileage under 250,000. **4)** A discussion on deceased permit holders medallion re-issuance timeline. Possible fines for persons or color schemes withholding information about the death of permit holders. **5)** Streamline the process of the medallion waiting list.

Commissioner Breslin: Requested a status report on legislation that has been proposed at the Board of Supervisors that could affect the taxi industry. The de-appropriation of funding from the Convention and Visitors Bureau. The Convention and Visitors Bureau is a revenue stream enticing visitors to come to the city. She questioned through the Chair to the City Attorney, this is not a political issue, this is a legislative issue and asked if the Commission could make a letter of support or opposition?

PUBLIC COMMENT

- **Barry Taranto:** He agreed with Commissioner Breslin's concerns. He suggested a resolution of support to keep the convention funds in tact. In January, the Commission should get a presentation from the contractors doing the debit card program. The Commission deserves to know without delays, when someone has died and why the medallion is not being reissued in a timely manner. He suggested helping Taxicab Detail in determining how to enforce the 156 hourly shifts verses the 800 hours. He suggested the cab companies install time clocks.

- **Jim Gillespie, S.F.T.A. - Luxor Cab:** He informed the Commission that San Francisco cab companies are providing paratransit services without receiving subsidies but are providing subsidies to that paratranist program. He believes in places like Los Angeles they are receiving subsidies from the State and Federal governments to run their paratransit program. He suggested changes should be made.

- **Mark Gruberg, U.T.W.:** Commented on Commissioner McGuire request regarding deceased permit holders. He states if the person in whose name the permits were issued is deceased that those permit have no right to be on the streets. He requested an investigation on deceased permits that have not been returned.

- **Peter Witt, native San Franciscan - 17 years driver:** He has been waiting a long time to receive a medallion. He believes his name with by Commissioner McGuire who received her medallion two or three years ago. He was offered a ramp permit but was told by other drivers not to accept it. He believes there is a

regulation that if a driver goes on vacation they are supposed to notify Taxi Detail.

7. PUBLIC COMMENT

· **Robert Cesana, Yellow Cab:** Wished everyone Happy Holidays. The debit card broker stated he would not deal with companies with under 25 cabs. It has perpetuated the sale and resale of taxi scrip. He states there is a policy in the city that everybody should accept scrip and therefore the taxi broker has to accept scrip from everybody. He questioned when the Commission turns down advertising wraps on the London taxis does this have an impact on the subsidy that was agreed to be given to cab companies. He states if the Commission wants to raise the standard for cab drivers, they need to retain drivers.

· **Barry Taranto:** Informed the Commission that cab drivers will be able to make right or left turns on Mission Street except during commute hours and on Potrero Street there will have a taxi/bus lane only. Tonight is the last night of Hanukah and he listed his mythical miracles.

· **Peter Witt:** He informed the Commission of complaints he received but feels they are unsolicited. He has surveyed over 6700 customers of the years, but it is raw data. He produced it in color so the Commission could disseminate the differences at the PC&N hearing. He requested his 2004 survey be produce in color. He believes that drivers are not represented at the Commission.

· **Jason Ballanle:** He actually wanted to speak on 4D of the consent calendar regarding the Shiekh Shoes.

· **Wesley Hollis:** He would like the Commission to approve stretch Crown Victorias (that are specifically built to be taxicabs) and the Lincolns (that have 120-inch wheelbase). He feels these vehicles are better than the London Taxi. He suggested making the permit holders show up at the airport for the vehicle annual inspection to insure the permit holder is not deceased. He asked to Commission to consider making a rule differential between owner vehicles and fleet vehicles.

· **John Nakis, Yellow Cab:** He raised the issue on illegal limousines. He asked what the term "house car" or "guest car". He displayed picture of limousines and requested help from the Commission.

8. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION ON PROPOSITION K MANAGER'S EXEMPTION.

A RESOLUTION WILL BE GENERATED AND PRESENTED AT THE NEXT COMMISSION HEARING.

AYES: Jackson, Gillespie, Breslin, McGuire, Paek, Smith **NOES:** None

ABSENT: Kwok **RECUSED:** None

PUBLIC COMMENT

· **Robert Cesana, PDA:** A lot of people have done a lot of work which is very important for the industry. He states that he deeply resent what U.T.W. has done by submitting there own proposal. He believes U.T.W. should apologize to everybody and agree to work together in the future.

· **Carl Macumurdo:** The appellate judges had proactively stated that certain permit holders employed by companies can substitute work hours for driving requirement under Proposition K. The proposal submitted by PDA and SFTA is limited in three ways. 1) They changes the word manager to essential employee; 2) the applicants would get the exemption only if they are working full time in the capacity as an essential employee currently and driven full time for a year and they have to comply with the new Daly/Ma criteria; 3) Extension of the 800 hours exemption; and 4) The exemption process.

· **Mark Gruberg, UTW:** He believes the most important point is that some driving should be required of company managers. He states that Proposition K is about driving a cab, it is not about managing a company or working as a dispatcher or cleaning out the garage. UTW has proposed that a manager put in 200 hours in the course of a year. He states is the Commission requires no driving of a manger, the Commission will be opening a tremendous "can of worms" on the issue of disability. The Commission has a policy that should not be compromised: "cab driving is an essential eligibility requirement for holding a permit".

· **Mike Spain:** He states that UTW always come in at the last moment with modification or changes to legislation as it is being proposed. Limited allowance can be limited to how long the owner is employed in the company. He states he would never want to have a business where employees, all of them or a group of them, have 10 to 15 percent of their time off because they have to fulfill another requirement. The exemption will allow cab drivers to gain management experience, how to deal with other drivers, how to manage finances, and how to manage the operations of dispatching.

· **John Nakis:** He states that Pre-K medallion holders are retiring from the industry. The president or manager is 24/7 employee of the company. He states as far as being a part time driver and a part time manager, it cannot happen. He believes you have to have medallion owners actually managing the company.

· **Jim Gillespie:** He thanked Mark Gruberg for pointing out something that was very true and very important, that is Proposition K does not address anything to do with managers and management positions. He states that he get paid for 40 hours a week but actually work 50 to 60 hours per week not just in the company office. The concern he wanted to address is do you really need a driving requirement for managers.

· **George England, Luxor Cab:** He states that Proposition K is about driving. PDA has worked for years to get an 800 hours driving requirement. Pre-K permit holders are exempt from driving. He believes that managers should be out in the field seeing how the industry operates. He believes this is really about maintaining the $20 million a year that medallion holders take out of the industry, out of driver's pockets, and out of the public's pockets. He believes permit holder want to reduce the driving requirement and eliminate it completely. He suggested permit holders should work half time driving a cab and half time in management.

· **Jane Bolig:** She has experience in doing both management and driving a cab and it is a burn out job. She thinks that Prop. K does imply the need for management because it says there is a 24-hour operational requirement. The proposal that has been made is not only within the practices that have been carried on for decades and decades, but I think the formula itself it within reasonable and even conservative ratios that you would expect in a company between people in management and people not in management.

· **Johnson Akinbodunse, Yellow Cab:** He believes there has been enough arguing about it for so long and the law says and the judges agree that there is room for an exemption within the framework for the cab industry.

9. ADJOURNMENT

Adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Sonya Banks,

Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737
ARTHUR JACKSON, PRESIDENT, ext. 1
PAUL GILLESPIE, VICE PRESIDENT, ext. 2
PATRICIA BRESLIN, COMMISSIONER, ext. 4
MICHAEL KWOK, COMMISSIONER, ext. 3
MARY McGUIRE, COMMISSIONER, ext. 5
MIN PAEK, COMMISSIONER, ext. 6
MARTIN SMITH, COMMISSIONER, ext. 7

KELLY CASTAGNARO, ACTING DIRECTOR

TAXICAB COMMISSION AGENDA
SPECIAL MEETING
SAFETY HEARING

DOCUMENTS DEPT.
DEC 17 2004
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PUBLIC LIBRARY

DECEMBER 20, 2004 at 10:00 a.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 408

12-17-04P03:

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pecial

1. Report from Executive Director

2. Report from Taxicab Detail

3. Presentation by Department on the Status of Women Regarding Sexual Harassment Education and Sensitivity

4. General Public Comment

NOTE: We will take public comment on each agenda item.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
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TAXICAB COMMISSION AGENDA
REGULAR MEETING

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December 28, 2004 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the December 14, 2004 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment (Please limit public comment to items not on the agenda).
8. Approval of a resolution on Prop K Manager's Exemption (ACTION)
9. Approval of a resolution to support funding for the Convention and Visitors Bureau. [discussion] [possible action]
10. Adjournment

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Agossa Agbazahou	Steven Akinrotoye	Saleh Badeh	Bakil Alsayaghi
Kosmo Alves	Celson Araujo	Valeria Araujo	Asfaw Arega
Jack Aulachong	Maria Barbosa	Abdellaziz Batiss	Ramile Brito
Bryce Broughton	Diego Castro	Aby Chacko	Ramon Chamaki
Thanh Chu	Abdelhakim Daouil	Marcos DaSilva	Earl Davis, Sr.
Kenia DeSousa	Ramiro Diaz	Timothy Donohue	Robert Estes
Somi Ferreira	Percival Filho	Madhubahen Gohil	Vadim Goldenberg
William Harris	Ibrahim Hassabelnabi	Jose Hernandez	John Hoang
Jamil Igeh	Chiv Kam	Abdessamad Lagdani	Dennis Lai
Andy Lam	San Lin	Douglas Lopez	Mohamed Maamar
Aye Maung	Ricardo Miranda	Sameh Mohamed	Craig Nelson
Paul Nielsen	Rodrigo Pedroso	Eric Reese	Ivan Rivera
Olawunmi Sawyerr	Mohammad Shansab	Ba Shwe	Kuldip Singh
Vijay Singh	Peter Tang	Huy Trang	Lawrence Veradevaldes
Christopher Vickers	Isaias Weldeamlak	Aung Win	Ronnie Zapata
Smail Ziani			

B. Recommendation of the Police Taxicab Detail for approval of Ramp Taxicab Medallion Holder permits to:

	Ramp Medallion Holder	Medallion #	Color Scheme
1.	Osama M. Awwad	9051	Yellow Cab
2.	Jamal W. Husary	9059	Yellow Cab
3.	Kurt R. Schnitzler	9049	Yellow Cab
4.	Aboulghassem K. Malmirchegini	9052	B & W Checker Cab

C. Recommendation of the Police Taxicab Detail for approval of Taxicab Medallion Holder permits to:

	Medallion Holder	Medallion #	Color Scheme
1.	Robert D'Armiento	760	Luxor Cab
2.	Ahmed Kabo	745	National Cab
3.	Solomon Makonnen	281	Yellow Cab
4.	Wondewossen Mekbeb	277	DeSoto Cab
5.	Lakew Melese	511	Yellow Cab

D. Recommendation of the Taxi Commission for approval of Color Scheme Change to:

	Medallion Holder	Cab #	Change
1.	Kamen George Kamenov	1054	Black & White Checker to Alliance Cab
2.	Andrew Martin Lindermann	1242	Worldwide Cab to Luxor Cab
3.	Wallace Lau	817	Regents Cab to Bay Cab

E. Approval of Final Decision by Acting Executive Director Regarding Recommendation submitted by the Taxi Commission Hearing Officer.

1. Approval of Revocation of Medallion Permit #207 held by Joseph Breall.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the January 11, 2005 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:	RAMPED TAXICAB:	NEW COLOR SCHEME:
Michael Sealey	*None*	*None*

COLOR SCHEME CHANGES

Medallion Holder	*Cab #*	*Change*
1. Abraham Roth	*9001*	*Yellow Cab to Bay Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers. Copies of the Commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm (Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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